

REFERENCE



CITY CHARTER
Sections 3-6

POWERS

Sec. 3. General powers.

1. To levy, assess and collect taxes and to borrow money within the limits provided by this charter; to levy and collect special assessments for benefits conferred; and to receive payments in lieu of taxes, and to account for, expend, and otherwise treat such payments in the manner provided by law in connection with taxation; to appropriate municipal funds for any public purpose within the powers of the city council; to have general management and control of the finances of the city; to provide that any valid charges, taxes, or assessments made against any real property within the city shall be liens upon the property, to be collected as municipal taxes are collected.

2. To furnish any or all public services; to own or dispose of stock in, purchase, hire, construct, own, maintain and operate or lease public utilities or public utility services; to sell, lease or otherwise dispose of public utilities or public utility services; to acquire by purchase, lease, condemnation or otherwise, real, personal, or mixed property necessary for any such purpose; subject to restrictions imposed by laws of the State of Maryland; and to grant local public utility franchises, including but not limited to franchises to operate community antenna or cable television systems, which may be deemed advantageous and beneficial to the city.

3. To make and maintain public improvements and to acquire real, personal, or mixed property by conveyance, purchase, lease, condemnation, gift, grant, bequest, devise, or otherwise, necessary for such improvements; and also to acquire an excess over that needed for any such improvement; and to sell, lease, or otherwise dispose of such excess property with such restrictions as the council may determine.

4. To provide, maintain and operate such community and social services for the preservation and promotion of health, recreation, welfare, and enlightenment of the inhabitants of the City of Greenbelt, Maryland, as the council may determine.

5. To adopt by ordinance and enforce within the corporate limits police, health, sanitary, fire, traffic, parking, and other similar regulations not in conflict with the laws of the State of Maryland; to prohibit, suppress and punish within the city all vice, gambling, and games of chance; prostitution and solicitation therefor and the keeping of bawdy houses and houses of ill fame; all tramps and vagrants; all disorder, disturbances, annoyances, disorderly conduct, obscenity, public profanity, and drunkenness; to prohibit the youth of the city from being in the streets, lanes, alleys, or public places at unreasonable hours of the night; to regulate or prevent the storage of gunpowder, oil, or any other explosive or combustible matter; to regulate or prevent the use of firearms, fireworks, bonfires, explosives, or any similar things which may endanger persons or property; to establish, operate and maintain a police force, a police station house and a lock-up for temporary confinement of violators of the laws and ordinances of the city or to use the county jail for such purposes; to protect and preserve the health of the city and its inhabitants; to appoint a public health officer, and to define and regulate his powers and duties; to prevent the introduction of contagious diseases into the city; to establish quarantine regulations, and to authorize the removal and confinement of persons having contagious or infectious diseases; but nothing herein shall be construed to affect in any manner any of the powers and duties of the state board of health, the county board of health, or any public general or local law relating to the subject

of health; to prevent or abate by appropriate ordinances all nuisances in the city which are so defined as common law, by this charter, or by the laws of the State of Maryland, whether they be herein specifically named or not; to regulate, to prohibit, to control the location of, or to require the removal from the city of all trading in, handling of, or manufacture of any commodity which is or may become offensive, obnoxious, or injurious to the public comfort or health; to inspect and to require the condemnation of, if unwholesome, and to regulate the sale of any food product; to prevent the deposit of any unwholesome substance either on private or public property and to compel its removal to designated points; to require slops, garbage, ashes, and other wastes or unwholesome materials to be removed to designated points, or to require the occupants of the premises to place them conveniently for removal; to regulate or prevent the throwing or depositing of sweepings, dust, ashes, offal, tires, garbage, paper, handbills, branches, dirty liquids, or other unwholesome materials into any public way or private property in the city; to regulate or prohibit the interment of bodies within the municipality and to regulate cemeteries; to suppress fires and prevent the dangers thereof and to establish and maintain a fire department; to contribute funds to volunteer fire companies serving the city; to inspect buildings for the purpose of reducing fire hazards, to issue regulations concerning fire hazards, and to forbid and prohibit the use of fire hazardous buildings and structures permanently or until the conditions of city fire-hazard regulations are met; and to take all other measures necessary to control and prevent fires in the city; to regulate and prevent the obstruction of aisles in public halls, churches and places of amusement, and to regulate the construction and operation of the doors and means of egress therefrom; to license and regulate and to establish, obtain by purchase, by lease, own, construct, operate, and maintain parking lots and other facilities for off-street parking; to install parking meters on the streets and other public places of the city in such places as by ordinance is determined, and by ordinance to prescribe rates and provisions for the use thereof; but the installation of parking meters on any street or road maintained by the State Roads Commission of Maryland must first be approved by the commission; to license, tax, and regulate public hackmen, taxicab men, draymen, drivers, cabmen, porters and expressmen, and all other persons pursuing like occupations; to regulate and license wagons, bicycles, and other vehicles not subject to the licensing powers of the State of Maryland; to regulate the numbering of houses and lots and to compel owners to renumber them, or in default thereof to authorize and require the work to be done by the city at the owner's expense, such expense to constitute a lien upon the property collectible as tax moneys; to regulate the use of sidewalks and all structures in, under, or above them; to require the owner or occupant of premises to keep the sidewalks in front thereof free from snow, ice, or other obstructions; to prescribe hours for cleaning sidewalks; to regulate or prohibit unreasonable ringing of bells, crying of goods, or sounding of whistles and horns; to license, tax and regulate, restrain or prohibit the erection or maintenance of billboards within the city, the placing of signs, bills and posters of every kind and description on any building, fence, post, billboard, pole, or other place within the city; to make reasonable regulations in regard to buildings to be erected, constructed, or reconstructed in the city, and to grant building permits for them; to formulate a building code and a plumbing code and to appoint a building inspector and a plumbing inspector, and to require reasonable charges for permits and inspections; to authorize and require the inspection of all buildings and structures and to authorize the condemnation thereof in whole or in part when dangerous or insecure, and to require that such buildings or structures be made safe or taken down; to require the inspection and licensing of elevators and to prohibit their use when unsafe or dangerous or without a license. This listing is by way of enumeration, not limitation.

6. To have control over all the public roads, streets, alleys, and sidewalks within the corporate limits of the City of Greenbelt and to provide for repairing, grading, cleaning, mending, and perfecting the same; to remove all nuisances and obstructions from roads, streets, alleys, sidewalks, and from any lots adjoining thereto, and to compel owners to remove all nuisances and obstructions from such lots, or in default thereof to authorize the work to be done by the city at the owner's expense, such expense to constitute a lien

upon the property collectible as tax moneys. To open, close, and alter public roads, streets, alleys and walks with the same powers and subject to the same limitations as are or may be granted to or imposed upon the Board of County Commissioners of Prince George's County.

7. To have control over parks, recreation areas and facilities and other public property, to establish public parks, gardens, playgrounds and other recreational facilities and programs to promote the health, welfare and enjoyment of the inhabitants of the city, and to provide for extending, improving, maintaining and operating the same.

8. Subject to any restrictions imposed by the laws of the State of Maryland, to license and regulate all persons beginning or conducting transient or permanent business in the city for the sale of any goods, wares, merchandise, or services; to license and regulate any business, occupation, trade, calling, or place of amusement or business; to regulate the sale of all kinds of property at auction within the city and to license auctioneers; to license, tax, regulate, suppress, and prohibit hawkers and itinerant dealers, peddlers, pawnbrokers, and all other persons selling any articles on the streets of the city, and to revoke such licenses for any action or threat of action by such a licensee in the course of his occupation which causes or threatens harm or injury to inhabitants of the city or to their welfare or happiness; to establish and collect fees and charges for all licenses and permits issued under the authority of this charter.

9. To enact ordinances and make regulations not in conflict with the existing laws of the State of Maryland, and to provide for fines and imprisonments in the county jail, or both, for the violation of such ordinances or regulations. No fine shall exceed five hundred dollars (\$500.00) nor shall any imprisonment exceed ninety (90) days, for any single offense. To provide that the violation of an ordinance may be declared a municipal infraction, a civil offense, instead of a misdemeanor, and to provide for fines for the violation of such ordinances or regulations, as authorized by the laws of the State of Maryland.

10. To enact zoning ordinances not in conflict with the existing law of the State of Maryland, for the purpose of insuring the orderly growth of the city and the protection of the public health, welfare, safety and morals. To regulate the location, erection, or repair of buildings in accordance with the public health, welfare and safety and to provide by ordinance for the granting of permits with respect to the location, erection, or repair of buildings.

11. To acquire by conveyance, purchase, condemnation or otherwise real, personal, or mixed property needed for any public purpose, in fee simple, lease or leasehold interest or estate or any other interest or estate; to erect buildings and structures thereon for the benefit of the city and its inhabitants; and to own, hold, manage or control, and to sell, lease, exchange, transfer, assign, mortgage, pledge, or dispose of any such real, personal, or mixed property or any interest therein as the interest of the city may require; to take by gift, grant, bequest, or devise and to hold real, personal or mixed property absolutely or in trust for parks or gardens, or for the erection of statues, monuments, buildings or structures, or for any public use upon such terms and conditions as may be prescribed by the grantor or donor, and accepted by the city; to provide for the proper administration of the same; and to convey the same when the city council determines that it is no longer needed for public purposes, subject to the terms and conditions of the original grant. Any activity, project, or improvement authorized by the provisions of this charter or any state law applicable to the city is a public purpose. The manner of procedure in case of any condemnation proceeding shall be that established in Article 33A of the Annotated Code of the Public General Laws of Maryland (1957 Edition, as amended) title "Eminent Domain." [now Real Property; § 12-101 et seq.]

12. To provide, operate and maintain transportation facilities between the City of Greenbelt, in the State of Maryland, and the City of Washington, in the District of Columbia, and to collect fares for such transportation. To sell or lease all or any portion of such transportation facilities. To do any and all acts necessary or incidental to fully exercise the power stated in this subsection. The exercise of this power shall be subject to the regulation of the Public Service Commission of the State of Maryland.

13. To have and exercise any and all powers that are now given to municipalities, except the City of Baltimore, or that may be given to them by the general law of the State of Maryland or that are or may be given to municipalities in Prince George's County by the local law of the State of Maryland, including those powers enumerated in Article 23B, the Municipal Corporation Charter Act of the Annotated Code of Maryland.

14. To regulate and prohibit the running at large of dogs, cats, horses, fowl, sheep, goats, cattle, or other animals; to authorize the impounding, keeping, sale, and redemption of such animals when found in violation of the ordinance in such case provided; to provide for the licensing of such animals; to provide for the disposition of homeless animals and of animals on which no license fee has been paid for any term prescribed by ordinance.

15. To create, change, and abolish offices, departments, or agencies, other than the offices, departments, and agencies established by this charter; to assign additional functions or duties to offices, departments, or agencies established by this charter, but not including the power to discontinue or assign to any other office, department, or agency any function or duty assigned by this charter to a particular office, department or agency.

16. To make agreements with other municipalities, counties, districts, bureaus, commissions, states, and federal authorities for the joint performance of or for cooperation in the performance of any governmental function.

17. To provide for advertising for the purposes of the city, for printing and publishing statements as to the receipts and expenditures of the city, and the publication and the codification of all laws, ordinances, resolutions, or regulations adopted by or affecting the city.

18. To compel persons about to undertake dangerous improvements to execute bonds with sufficient securities conditioned that the owner or contractor will pay all damages resulting from such work which may be sustained by any persons or property.

19. To accept gifts and grants of federal or of state funds from the federal or state governments or any agency thereof, and to expend the funds for any lawful purpose, agreeable to the conditions under which the gifts or grants were made.

20. To purchase, lease, borrow, install, and maintain voting machines for use in the city elections.

21. To create a nonprofit corporation to hold title to and administer a housing for the elderly project.

22. To recognize and engage in collective bargaining with one or more designated bargaining representatives of non-managerial, sworn police officers of the City of Greenbelt, Maryland, Police Department;

to enter into a binding collective bargaining agreement with said representatives; and to enact by ordinance or amendment a system of rules and regulations to govern this process. The City Council shall approve all collective bargaining agreements entered into by the city with a collective bargaining representative prior to their becoming effective. In the event the parties negotiating a collective bargaining agreement are unable to reach agreement on one or more terms of a collective bargaining agreement, the City Council shall have the authority to set those terms and conditions of employment that remain in dispute upon a majority vote. (1937, Ch. 532, § 3; Res. No. 34, 1961; Char. Am. Res. No. 131, 10-31-67; Char. Am. Res. No. 1973-6, § 1, 11-19-73; Char. Am. Res. No. 1977-2, § 1, 2-28-77; Char. Am. Res. No. 1983-1, § 1, 10-3-83; Char. Am. Res. No. 2005-4, § IV, 12-12-05)

THE COUNCIL

Sec. 4. Creation; qualifications; compensation.

(a) Except as otherwise provided in this charter, all powers of the city shall be vested in a council of five (5) members prior to November 9, 2009 and a council of seven (7) members beginning November 9, 2009 nominated and elected from the city at large in the manner hereinafter provided. The term of each member of council shall be for two (2) years and until his or her successor shall have qualified, and shall begin on the first Monday following the regular council election or run-off election.

(b) Effective with the council elected as a result of the November 6, 2007, election, the mayor shall receive a salary of twelve thousand dollars (\$12,000.00) per annum, and the other members of council each shall receive a salary of ten thousand dollars (\$10,000.00) per annum, payable in twenty-six (26) biweekly payments. No ordinance amending the charter with respect to fixing or changing the salary of members of council shall become effective during the current term of members of council enacting such ordinance. (1937, Ch. 532, § 4; 1941, Ch. 595; Res. No. 8-31-59; Res. No. 38, 8-19-63; Char. Am. Res. No. 124, 8-16-67; Char. Am. Res. No. 1973-3, § 1; 6-11-73; Char. Am. Res. No. 1975-4, § 1, 4-7-75; Char. Am. Res. No. 1985-3, § 1, 7-15-85; Char. Am. Res. No. 1986-2, § 1, 10-7-86; Char. Am. Res. No. 1989-1, § 1, 9-11-89; Char. Am. Res. No. 2007-3, § II, 9-24-07; Res. No. 2009-2, § II, 6-22-09)

Sec. 5. Meetings.

At 7:30 p.m. on the first Monday following a regular municipal election, the council shall meet at the usual place for holding its meetings and the newly elected members shall assume the duties of office, but if any meeting is held before such day and after the election, the newly elected council shall assume the duties of office at such meeting. Thereafter the council shall meet at such times as may be prescribed by ordinance or resolution, but not less frequently than once each month. Special meetings shall be called by the clerk upon the written request of the mayor, the city manager, or four (4) members of council; or upon motion of the council duly adopted at a regular meeting. Any such notice or motion shall state the subject to be considered at the special meeting and no other subject shall be considered, except by unanimous consent of all members. All meetings of the council shall be open to the public, except that the council shall be closed to the public to consider items of a sensitive nature. Such closed meetings shall be held in accordance with the applicable provisions of the annotated code of the public general laws of Maryland (1984). The rules of the council shall provide that citizens of the city shall have a reasonable opportunity to be heard at any meetings open to the public in regard to any matter considered thereat.

(1937, Ch. 532, § 5, Char. Am. Res. No. 1986-4, § 1, 10-7-88; Res. No. 2009-3, § II, 9-29-09)

Sec. 6. Mayor and mayor pro tem.

At its first meeting following a regular municipal election the council shall choose one (1) of its members as mayor, and shall also choose one of its members as mayor pro tem. The mayor shall preside at the meetings of the council and shall exercise such other powers and perform such other duties as are or may be conferred and imposed upon him by this charter and the ordinances of the city. He shall be recognized as the head of the city government for all ceremonial purposes, by the courts for serving civil process, and by the governor for purpose of military law. If a vacancy occurs in the office of mayor, or in case of his absence or disability, the mayor pro tem shall act as mayor for the unexpired term or during the continuance of the absence or disability.

(1937, Ch. 532, § 6)

Sec. 7. Council--Rules; attendance; expulsion of members.

The council shall determine its own rules and order of business and keep a journal of its proceedings. It shall have power to compel the attendance of absent members, and may, by vote of not less than six (6) members, expel a member from a meeting for disorderly conduct or the violation of its rules.

(1937, Ch. 532, § 7; Res. No. 2009-3, § II, 9-29-09)

Sec. 8. Same--Quorum, procedure.

A majority of the members elected to the council shall constitute a quorum to do business, but a less number may adjourn from time to time and compel the attendance of absent members in such a manner and under such penalties as may be prescribed by ordinance. The affirmative vote of a majority of the members elected to the council shall be necessary to adopt any ordinance, resolution, order or vote; except, that a vote to adjourn, or regarding the attendance of absent members, may be adopted by a majority of the members present; and except that any votes to delete properties from the Greenbelt Forest Preserve shall require at least six (6) votes. No member shall be excused from voting except on matters involving the consideration of his own official conduct or when his financial interests are involved.

(1937, Ch. 532, § 8; Char. Am. Res. No. 2003-1, § IV, 10-27-03; Res. No. 2009-3, § II, 9-29-09)

Sec. 9. Ordinances and resolutions--Procedure for adoption; enacting clause.

Ordinances and resolutions shall be introduced in the council only in written or printed form. All ordinances, except ordinances making appropriations and ordinances codifying or rearranging existing ordinances or enacting a code of ordinances, shall be confined to one subject, and the subject, or subjects, of all ordinances shall be clearly expressed in the title. Ordinances making appropriations shall be confined to the subject of appropriations. No ordinance shall be passed until it has been read on two (2) separate days, unless the requirements for reading it on two (2) separate days be dispensed with by a vote of not less than six (6) members of council. The final reading of each ordinance shall be in full unless a written or printed copy thereof shall have been furnished to each councilman prior to such reading. The yeas and nays shall be taken upon the passage of all ordinances and resolutions and entered upon the journal of the proceedings of the council. The enacting clause of all ordinances shall be "Be it ordained by the Council of the City of Greenbelt, Maryland."

(1937, Ch. 532, § 9; Res. No. 2009-3, § II, 9-29-09)

CITY CHARTER
Sections 14-33

ELECTIONS

Sec. 14. Generally.

(a) *Council elections.* The regular election for members of the city council shall be held on the first Tuesday following the first Monday of November in odd-numbered years. All elections shall be nonpartisan.

(b) *Referendum.* By resolution, the council shall direct to be placed upon the ballot for any regular council election or duly called special election such questions as may be required to be submitted to the voters by this charter or the laws of Maryland and such questions as it may choose to submit to the voters. The resolution, which shall be adopted not later than the sixth Monday preceding a regular council election or at the time a special election is called, shall include the exact wording of each question to be submitted to the voters.

(c) *Special elections.* The city council, or board of elections when authorized by this charter, shall order the holding of a special election and shall fix the time of the election. Special elections shall be held only for purposes authorized by this charter or the laws of the State of Maryland. Insofar as they may be applicable, special elections shall be subject to the provisions of this charter relating to regular council elections.

(d) *Notice of elections.* The city clerk shall give at least twenty-one (21) days' notice of every election by an advertisement published in a newspaper of general circulation in the city. No special election shall be set for a time that does not allow the city clerk to give the notice as required herein.
(1937, Ch. 532, § 12, Char. Am. Res. No. 89, 6-8-66; Char. Am. Res. No. 1975-3, § 1, 4-7-75; Char. Am. Res. No. 1986-1, § 1, 10-7-86; Char. Am. Res. No. 1990-1, § 1, 12-17-90; Char. Am. Res. No. 2002-2, § 3, 1-28-02)

Sec. 15. Voters.

A qualified voter within the meaning of this charter shall be any person who is a resident of the City of Greenbelt and who is duly registered with Prince George's County under the applicable provisions of Article 33 of the Annotated Code of Maryland; provided that eligibility to vote in any city election shall be subject to applicable registration deadlines as set forth in the charter and code of the city.

(1937, Ch. 532, § 13; 1949, Ch. 583; Char. Am. Res. No. 90, 6-8-66; Char. Am. Res. No. 1971-3, § 1, 5-17-71; Char. Am. Res. No. 1975-3, § 1, 4-7-75; Char. Am. Res. No. 1990-1, § 1, 12-17-90)

Sec. 16. Board of elections--Generally.

(a) *Appointment.* There shall be a board of elections consisting of five (5) members who shall be appointed by the city council. The members shall be appointed for a term ending on the third Monday of January in even numbered years or until their successors are appointed. Members shall serve for a term of four (4) years, or until their successors are appointed; except that, of the members first appointed, three (3) shall be appointed for a term expiring on the third Monday in January, 1978; and two (2) shall be appointed for a term expiring on the third Monday in January, 1976.

Members of the board of elections shall be qualified voters of the city and shall not hold or be candidates for any elective office in government (federal, state, or local) during their term of office. The board shall elect one of its members as chairman who shall serve at the pleasure of the board until a successor

chairman is elected. A vacancy on the board shall be filled for the remainder of the unexpired term by the city council.

Three (3) members of the board shall constitute a quorum at meetings duly called pursuant to rules to be adopted by the board.

(b) *Removal.* Any member of the board of elections may be removed for good cause by the council; provided that prior to the taking of such action the member proposed to be removed shall be given a written copy of the charges placed against him, and if he so requests within ten (10) days of receipt of said charges shall be entitled to a public hearing before the council. Any member who shall fail to attend without good and sufficient reason three (3) consecutive meetings of the board, or a majority of five (5) consecutive meetings, shall be deemed to have provided good cause for removal by the council. The chairman of the board shall notify the council of such absences. Upon a vote for removal, the office of that member of the board shall become vacant.

(c) *Duties.* The board of elections shall:

1. Review periodically city election procedures;
2. Recommend to the council amendments to city election regulations and procedures when it deems such amendments will provide for the improved conduct of elections;
3. Hear appeals of decisions of the city clerk as provided herein;
4. Appoint election judges and clerks as provided by the City Code;
5. Examine promptly any complaints which may be made to it with reference to the fitness or qualifications of any person appointed to be a judge or clerk; and it shall further be the duty of the board to remove from such position any judge or clerk found to be unfit or incompetent for such position;
6. Certify the results of elections;
7. Conduct recounts of votes cast at elections whenever there is doubt as to the accuracy of the count;
8. Perform such other duties as may be assigned to it by this charter, ordinances and resolutions, and by the direction of the city council.

(d) *Compensation.* The city council may provide by resolution for the compensation of the chairman and members of the board of elections.

(e) *Failure of board to act.* Should the board of elections fail to perform its duties, as required by this charter or city ordinances and resolutions, the city council shall declare itself to be and shall act as the board of elections in order to take all actions necessary to assure the successful conduct of city elections and shall continue to function as the board until such time as the council declares the board able to perform its duties. The

times prescribed herein before which the board of elections must take required actions shall not apply if the city council must act as the board of elections.

(Char. Am. Res. No. 1975-3, § 3, 4-7-75; Char. Am. Res. No. 1985-2, § 1, 3-18-85)

Sec. 17. Same--Budget.

Annually, the board of elections shall submit its proposed budget for the next fiscal year to the city manager not less than thirty (30) days prior to the time the city manager is required to submit the annual budget to council. The budget shall propose the number of judges and clerks to be provided for each election scheduled and their rates of compensation and shall provide funds to compensate all employees proposed and to meet such other expenses as may be proposed. The city manager shall transmit to the council the proposed budget of the board of elections without change, along with and as part of the proposed city budget, and the city council may amend and adopt this budget and appropriate funds in the same manner as required for other departmental and agency budgets of the city. Expenditures of the board shall be in accordance with appropriations and shall be authorized and approved in the same manner as other city expenditures.

(Char. Am. Res. No. 1975-3, § 1, 4-7-75)

Sec. 18. Registration for election; universal registration.

(a) Registration with the Prince George's County board of elections under the State of Maryland general election laws by any person who resides within the corporate limits of the City of Greenbelt shall be considered registration for any council election, referendum, and/or special election held by the City of Greenbelt.

(b) Method, hours, and places of registration shall be as established by the Prince George's County board of elections.

1. In addition to registration procedures established by the board of election supervisors of Prince George's County and so as to provide optimum convenience and opportunity for city residents to register, mail registration forms shall be made available at the city offices during regular office hours and at such other times and places as may be designated by the city clerk. Such forms shall be provided by the supervisor of the board of elections at the request of the city.
2. Neither city employees nor employees or attendants at other locations offering mail registration forms are agents or shall act as agents for the Prince George's County supervisor of elections. Each person obtaining a mail registration form shall assure the timely delivery of the completed registration form to the office of the county supervisor of elections to meet the applicable registration deadline.

(c) The names of persons who register in person or whose mail registration forms are received during the following periods will not be included in the list of qualified registered voters for the purpose of a city election:

1. Between the close of business of the fifth Monday preceding the regular council election and the close of polls on the day of such election, or runoff election, if any.

2. Between the close of business of the Monday of the calendar week immediately preceding the week in which the day of the special election has been set and the close of the polls on the day of such special election, or runoff election, if any.

(d) The city clerk shall give at least ten (10) days' notice prior to the close of the registration dates for city elections as set forth in (c)1. and 2. above. Such notice shall be in the form of an advertisement published in a newspaper of general circulation within the city.

(Char. Am. Res. No. 1975-3, § 1, 4-7-75; Char. Am. Res. No. 1977-1, § 1, 2-7-77; Char. Am. Res. No. 1990-1, § 1, 12-17-90)

Sec. 19. Registration list.

(a) *Implementation plan for universal registration.* Not less than six (6) months prior to a council election, and immediately upon the call for a special election, the city clerk, who is designated the municipal liaison for the City of Greenbelt, shall submit to the board of elections of Prince George's County a request for the development of a plan and schedule to implement universal registration, in accordance with the provisions of Section 3 of Article 33 of the Annotated Code of Maryland (1957 as amended).

The plan shall include, but not be limited to, provisions for:

1. Identifying the city's boundaries and precinct boundaries;
 2. Obtaining, updating, and maintaining in the county's files the voter history of registrants who vote in city elections; and updating and maintaining any changes to the city's boundaries or precincts;
 3. Establishing the county's deadline for accepting registration applications from city residents for inclusion in the city's voter registration list for a city election;
 4. Determining the format of the voter registration list, including voter history and data for city registrants, and the timing for providing this list to the city by the Prince George's County supervisor of elections;
 5. Furnishing to the city ninety (90) days prior to the date of a regular election, or within one week of the call for a special election, a preliminary list of registered voters residing within the city at such time, and separate listings of the names of voters who have been a) removed from or b) added to the list of qualified voters since the last regular council election of the city;
 6. Notifying the supervisor of elections of Prince George's county within twenty (20) days after receipt of the preliminary list of registered voters of any potential or known errors in the list, including residency of registered voters.
 7. Developing procedures for obtaining additional copies of registration lists or parts thereof in the form of printed lists, mailing labels, and/or floppy disks or other computerized data.
- (b) *Posting of list.* It shall be the duty of the city clerk before every municipal election to:

1. Post the current registration list together with a list of all names added or removed since the last regular council election in a public place or places within the boundaries of the city by the twelfth Monday preceding the date of any regular council election.
2. Post at least three (3) weeks preceding the date of the regular council election a supplemental list of all names added or removed since the posting of the registration list in all locations at which the registration list was posted.
3. Post in a public place within the city not more than ten (10) days after a special election has been called by the city council or board of elections the registration list for the last regular council election and a supplemental list of names added or removed since the last regular council election and, upon the close of the registration list prior to the special election, post another list of names added or removed since the previous posting.

(c) *Copies; availability to public.* The city clerk shall provide, without charge, to the chairman of the board of elections of Greenbelt a copy of each registration list and each list of names added to or deleted from the list which is required to be posted by this charter, and may provide the other members of the board, the city council, and certified candidates for the office of city council the copies as well.

Any person may make application for a copy or copies of the registration list or parts thereof to the supervisor of the board of elections of Prince George's County. Any person, with reasonable notice to the city clerk, shall be permitted to examine and to copy, without the payment of any service charge, the names and addresses from the registration list for any purpose relating to a city election. Each application for examination or copying of registration lists at the office of the city clerk shall be accompanied by a sworn or affirmed statement of the applicant, declaring that the information obtained from the list will not be used for purposes of commercial solicitation or other business purposes.

(Char. Am. Res. No. 1975-3, § 1, 4-7-75; Char. Am. Res. No. 1986-3, § 1, 10-7-86; Char. Am. Res. 1990-1, § 1, 12-17-90)

Sec. 20. Nominations.

(a) Any qualified voter may be nominated for the office of member of council upon filing at the office of the city clerk a nominating petition signed by not fewer than fifty (50) voters, a written acceptance of the nomination, and such other statements as may be required by this charter or by law. Upon the finding by the city clerk that the nomination petition, the written acceptance, and such other statements as may be required are in order, the name of such nominee shall be authorized to be placed upon the ballot.

(b) The signatures of the nomination petition need not all be appended to one (1) paper, but to each separate paper there shall be attached an affidavit of the circulation thereof, stating the number of signers of such paper and that each signature appended thereto was made in the affiant's presence and is, to the best of the affiant's knowledge, the signature of the person whose name it purports to be. With each signature shall be stated the place of residence of the signer, giving the street name or numbers or other description sufficient to identify the same. The provisions of this paragraph shall be mandatory and not discretionary.

(c) The form of the nomination petition shall be substantially as follows:

We, the undersigned qualified voters of the City of Greenbelt, Maryland, hereby nominate _____ whose residence is _____ for the office of member of council, to be voted for at the election to be held in the City of Greenbelt on the _____ day of _____ 19____ and we individually certify that we are qualified to vote for a candidate for the office named.

(Name)

(Street Name and Number)

(Space for additional signatures)

State of Maryland

County of Prince George's, SS

I, _____ hereby swear or affirm that my address is _____ and that I am the circulator of the foregoing paper containing _____ signatures and that the signatures appended thereto were made in my presence and are to the best of my knowledge, the signatures of the persons whose names they purport to be.

Signature of Circulator

Subscribed and sworn to before me this _____ day of _____ 19____, Notary public (or other officer authorized to administer oaths.)

(d) All nomination papers comprising a petition shall be assembled and filed with the city clerk during normal business hours as one instrument, not earlier than the twelfth Monday preceding and not later than the seventh Monday preceding a regular council election and at such times as may be set by the board of elections for a special council election. A written acceptance of nominations shall accompany the petition and shall be in the following form:

Acceptance of Nomination

I hereby accept nomination for the position of member of Council of the City of Greenbelt, Maryland, and agree to serve if elected.

Date of Acceptance	Signature of Candidate
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A record of the exact time at which each petition is filed and the name and address of the person by whom it is filed shall be made and preserved. Within three (3) days after the filing of a nomination petition, the city clerk shall notify the candidate and the person who filed such petition whether or not it is found to be in compliance with paragraphs (a), (b), and (c) of this section. If a petition is found insufficient, the city clerk shall return it without undue delay to the person who filed it with a statement certifying wherein the petition is found insufficient.

(e) Within the regular time allowed for the filing of petitions, such a petition may be amended and filed again as a new petition or a different petition may be filed for the same candidate.

The petition of each person nominated to be a member of council shall be preserved by the city clerk until the expiration of the term of office for which he has been nominated.

(Char. Am. Res. No. 1975-3, § 1, 4-7-75; Char. Am. Res. No. 1986-3, § 1, 10-7-86)

Sec. 21. Campaign financial reports.

The city council, by ordinance, may provide for the reporting of contributions and expenditures made in furtherance of or opposition to (a) the nomination and election of candidates for the office of member of council and/or (b) any issue, principle, or proposition submitted to a vote at any city election, provided that no such ordinance or amendment thereto shall become effective within a sixty-day period preceding a regular election. No person shall be deemed elected to the office of member of council or enter upon the duties thereof, or receive any salary or emoluments therefrom until he or she has filed any reports authorized herein which may be required to be filed prior to taking office. Any person who fails to file reports authorized herein shall be deemed unqualified to run for election for the office of member of the council, and the city council, by ordinance, may provide that the board of elections remove the person's name from the ballot prior to the election.

(Char. Am. Res. No. 1975-3, § 1, 4-7-75; Char. Am. Res. No. 1994-1, § I, 9-12-94; Char. Am. Res. No. 2007-2, § III, 8-13-07)

Sec. 22. Electioneering.

The city council, by ordinance, shall establish a distance limit regulating electioneering at polling places.

(Char. Am. Res. No. 1975-3, § 1, 4-7-75; Char. Am. Res. No. 1996-1, § I, 11-12-96)

Sec. 23. Ballots.

Not later than the twelfth Monday preceding each regular council election and within seven (7) days after a resolution has been adopted setting the time for a special election, the board of elections shall prescribe the method for casting and recording votes and the form of all ballots used including absentee ballots. It may provide for the use of paper ballots, voting machines or any other method which assures the casting of secret ballots and an accurate tally of the ballots cast. The term ballot as used in this charter shall refer to any method or form prescribed by the board of the casting of votes.

The names of candidates nominated for the council in accordance with the provisions of this charter, except such as may have withdrawn, died or become ineligible, shall be printed on the official ballots exactly as such names appear on the registration list, except that should any candidate have a name which is sufficiently similar to the name of any other candidate, such that the voter might mistake one name for the other, the board in its sole discretion may permit any such candidate to add one parenthetical word and/or the address of his domicile to his listing on the ballot so as to more clearly identify the candidate to the voter.

The names of candidates shall be listed on the official ballots in the order determined by lot by the board at an open meeting, to be held not more than seven (7) days following the last day for filing nomination petitions, and to which all candidates may appear or send a representative to witness the draw.

(Char. Am. Res. No. 1975-3, § 1, 4-7-75; Char. Am. Res. No. 1986-3, § 1, 10-7-86)

Sec. 24. Conduct of elections.

The council shall determine the number of precincts and their boundaries and make all needful rules and regulations, not inconsistent with this charter, or the laws of Maryland, for the conduct of elections, for the prevention of frauds in elections, and for the recount of ballots in case of doubt or fraud. Not later than the twelfth Monday preceding each regular council election, and within seven (7) days after a resolution has been adopted setting the time for a special election, the board of elections shall designate a suitable place or places for voting and suitable procedures for the casting and counting of ballots. Upon the board's designation, the city clerk shall arrange to provide the necessary polling places and voting equipment.

The council, by resolution, shall authorize the number of clerks and judges of elections in each precinct and shall provide for their compensation. The board of elections shall appoint as many competent persons as may be authorized to act as clerks or judges of election. Said judges or clerks, before entering upon their duties as such, shall swear or affirm and subscribe thereto to faithfully, honestly, and without prejudice or partiality perform each and every duty required of them, and such documents shall be filed with the city clerk.

(Char. Am. Res. No. 1975-3, § 1, 4-7-75; Char. Am. Res. No. 1986-3, § 1, 10-7-86)

Sec. 25. Watchers and challengers.

Any regularly nominated candidate may appoint in writing one person and one alternate to represent him as both watcher and challenger at each voting place. Any persons so appointed shall have all the rights and privileges prescribed by ordinances enacted by the city council and by law of the State of Maryland for other watchers and challengers at any election in the County of Prince George's.

(Char. Am. Res. No. 1975-3, § 1, 4-7-75)

Sec. 26. Voter identity.

Upon satisfying the judges of election of his or her identity any person whose name properly appears on the registration list provided by the supervisor of elections of Prince George's County may vote.

(Char. Am. Res. No. 1975-3, § 1, 4-7-75; Char. Am. Res. No. 1990-1, § 1, 12-17-90)

Sec. 27. Absentee voting.

Any qualified voter of the City of Greenbelt may vote by absentee ballot. The procedures for applying for, casting, and counting absentee ballots shall be established by ordinance.

(Char. Am. Res. No. 1975-3, § 1, 4-7-75; Char. Am. Res. No. 2005-1, § V, 7-11-05)

Sec. 27a. Early voting.

Any qualified voter of the City of Greenbelt may vote by Early Voting. The procedures for casting and counting early votes shall be established by ordinance.

(Res. No. 2009-1, § II, 6-22-09)

Sec. 28. Vote count.

Upon the closing of the polls, the ballots shall be counted in accordance with procedures established by ordinance and such other procedures as may be established by the board of elections. The board shall receive the count of votes for each precinct and shall determine the total vote cast for each candidate or question and shall certify the results of the election to the city clerk, who shall record the results in the minutes of the council. The board shall conduct recounts of votes cast whenever it determines that there is a doubt as to the accuracy of the count, or when so requested by the council, or when duly petitioned in accordance with procedures established by ordinance. The validity or invalidity of ballots cast shall be determined by the board on the same basis as is prescribed for elections of the State of Maryland.

(Char. Am. Res. No. 1975-3, § 1, 4-7-75; Char. Am. Res. No. 1985-2, § 1, 3-18-85)

Sec. 29. Witnessing vote count.

Every regularly nominated candidate shall have the right to be present during the entire count, with facilities for examining all operations closely and for keeping all the voting machines or ballots or their containers in view when the counting is not in progress. He shall have the right to designate in writing alternates to act in his place when he may be absent. Representatives of the press and, so far as may be consistent with good order and with convenience in counting, the general public shall also be given every facility for witnessing the count.

(Char. Am. Res. No. 1975-3, § 1, 4-7-75)

Sec. 30. Ballots preserved.

All the ballots cast at each election of the council, whether valid or invalid, shall be deposited with the city clerk and preserved until the term of the members of council elected thereby has expired. All ballots cast at any other municipal election shall be deposited with the city clerk and preserved for one (1) year.

(Char. Am. Res. No. 1975-3, § 1, 4-7-75)

Sec. 31. Election of council.

All members of council shall be elected at large. Every voter shall be entitled to vote for seven (7) candidates. The candidates receiving votes amounting to forty (40) percent or more of the number of voters voting at the election, shall be declared elected. If more candidates receive votes amounting to forty (40) percent or more of the number of voters voting than there are offices to be filled, those candidates receiving the greatest number of votes shall be declared elected. If, however, fewer than seven (7) candidates in a field of eight (8) or more candidates receive votes amounting to forty (40) percent or more of the persons voting in the election, a runoff election will be held to fill the vacancies remaining. This runoff election will be held on the seventh day following the first election. In the runoff election twice as many names, if possible, will be printed on the ballot as there are vacancies remaining unfilled. These names will be of those unelected candidates who polled the greatest number of votes in the first election. The names shall be listed in the order as they appear on the ballot for the first election. In the runoff election the remaining position will be filled by declaring elected the candidate or candidates receiving the greatest number of votes.

If, as a result of any election, an office cannot be declared filled because of an equal number of votes being received by two (2) or more candidates, a runoff election shall be held on the seventh day following the election. The names of the candidates receiving the tie vote shall be placed on the ballot and the candidate

receiving the greatest number of votes in the runoff election shall be declared elected.

(Char. Am. Res. No. 1975-3, § 1, 4-7-75; Char. Am. Res. No. 1985-2, § 1, 3-18-85; Char. Am. Res. No. 2007-1, § II, 8-13-07; Res. No. 2009-2, § II, 6-22-09)

Sec. 32. Vacancies on council.

If a seat in the council becomes vacant, the remaining members of council by a majority vote shall, as soon as possible, elect a person to fill the unexpired term. If three (3) or more council seats are vacant at the same time, the board of elections shall call at the earliest date a special election to fill said vacancies for the unexpired terms.

(Char. Am. Res. No. 1975-3, § 1, 4-7-75)

Sec. 33. Appeals.

(a) Any challenges to the registration list provided by the supervisor of the board of elections of Prince George's County shall be filed with the board of elections of Prince George's County, Maryland, in accordance with said board's procedures and applicable state law.

(b) Any person who shall feel aggrieved at any action of the city clerk relating to the filing of nomination papers or the conduct of elections shall have the right to appeal within ten days to the board of elections. The board of elections shall consider such appeal and shall have the authority to reverse the decision of the city clerk. An aggrieved person shall also have the right to appeal a decision of the board of elections to the circuit court for Prince George's County within the time allowed for such appeals and such case shall be heard by such court as provided for by the general elections laws of the state for appeal in election cases. So far as the same may be applicable, but not in contradiction to this charter, the provisions of the general election laws relating to appeals and election cases generally shall be applied to such appeals.

(Char. Am. Res. No. 1975-3, § 1, 4-7-75; Char. Am. Res. No. 1990-1, § 1, 12-17-90)

**Charter Amendment Resolution
2017-1, Resolution 2057**

**Charter Amendment Resolution
2021-1, Resolution 2090**

Introduced: Ms. Davis
1st Reading: December 11, 2017
Passed: January 8, 2018
Posted: January 9, 2018
Effective: February 27, 2018

CHARTER AMENDMENT RESOLUTION NUMBER 2017-1

RESOLUTION NUMBER 2057

A RESOLUTION OF THE COUNCIL OF THE CITY OF GREENBELT ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE CONSTITUTION OF MARYLAND AND TITLE 4, SUBTITLE 3 OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, TO AMEND THE CHARTER OF THE CITY OF GREENBELT FOUND, IN WHOLE OR IN PART, IN THE COMPILATION OF MUNICIPAL CHARTERS OF MARYLAND (1983 EDITION AS AMENDED), AS PREPARED BY THE DEPARTMENT OF LEGISLATIVE SERVICES PURSUANT TO CHAPTER 77 OF THE ACTS OF THE GENERAL ASSEMBLY OF MARYLAND OF 1983, BY AMENDING SECTIONS 12, 15, 16 AND 20 TO CHANGE THE VOTING AGE FOR CITY ELECTIONS TO THOSE 16 YEARS OLD AND OLDER AND TO CLARIFY THAT THOSE WHO SERVE ON THE EMPLOYEE RELATIONS BOARD, THE BOARD OF ELECTIONS AND CITY COUNCIL MUST BE AT LEAST 18 YEARS OLD.

WHEREAS, the Council of the City of Greenbelt desires to lower the eligible voting age to 16 years of age for City Elections; and

WHEREAS, qualified voters of the City are allowed to be members of the City Employee Relations Board, the Board of Elections and City Council; however, the Council of the City of Greenbelt desires that the members of these boards and the Council be at least 18 years of age; and

WHEREAS, the Council of the City of Greenbelt desires to amend the City Charter to reflect these changes.

SECTION I NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Greenbelt that the Charter of the City, found, in whole or in part, in the compilation of Municipal Charters of Maryland (2008 edition as amended), as prepared by the Department of Legislative Services, Sec. 12 Employee relations board shall be and hereby is amended to read as follows:

Sec. 12. Employee relations board.

- (a) *Members; appointment.* There shall be an employee relations board consisting of five (5) members who shall be appointed by the council. Members of the employee relations board shall be qualified voters of the city who are at least 18 years of age; and no member of this board shall hold any other elective or appointive office in the city government.

* * * * *

SECTION II NOW, THEREFORE, BE IT FURTHER RESOLVED by the Council of the City of Greenbelt that the Charter of the City, found, in whole or in part, in the compilation of Municipal Charters of Maryland (2008 edition as amended), as prepared by the Department of Legislative Services, Sec. 15 Voters shall be and hereby is amended to read as follows:

Sec. 15. Voters.

A qualified voter within the meaning of this charter shall be any person who is a resident of the City of Greenbelt and who is duly registered with Prince George's County under the applicable provisions of the [Article 33]-Election Law Article of the Annotated Code of Maryland and is at least 16 years of age; provided that eligibility to vote in any city election shall be subject to applicable registration deadlines as set forth in the charter and code of the city.

SECTION III NOW, THEREFORE, BE IT FURTHER RESOLVED by the Council of the City of Greenbelt that the Charter of the City, found, in whole or in part, in the compilation of Municipal Charters of Maryland (2008 edition as amended), as prepared by the Department of Legislative Services, Sec. 16 Board of elections – Generally shall be and hereby is amended to read as follows:

Sec. 16. Board of elections--Generally.

(a) *Appointment.* There shall be a board of elections consisting of five (5) members who shall be appointed by the city council. The members shall be appointed for a term ending on the third Monday of January in even numbered years or until their successors are appointed. Members shall serve for a term of four (4) years, or until their successors are appointed; except that, of the members first appointed, three (3) shall be appointed for a term expiring on the third Monday in January, 1978; and two (2) shall be appointed for a term expiring on the third Monday in January, 1976.

Members of the board of elections shall be qualified voters of the city who are at least 18 years of age and shall not hold or be candidates for any elective office in government (federal, state, or local) during their term of office. The board shall elect one of its members as chairman who shall serve at the pleasure of the board until a successor chairman is elected. A vacancy on the board shall be filled for the remainder of the unexpired term by the city council.

Three (3) members of the board shall constitute a quorum at meetings duly called pursuant to rules to be adopted by the board.

* * * * *

SECTION IV NOW, THEREFORE, BE IT FURTHER RESOLVED by the Council of the City of Greenbelt that the Charter of the City, found, in whole or in part, in the

compilation of Municipal Charters of Maryland (2008 edition as amended), as prepared by the Department of Legislative Services, Sec. 20 Nominations shall be and hereby is amended to read as follows:

Sec. 20. Nominations.

- (a) Any qualified voter who is at least 18 years of age may be nominated for the office of member of council upon filing at the office of the city clerk a nominating petition signed by not fewer than fifty (50) voters, a written acceptance of the nomination, and such other statements as may be required by this charter or by law. Upon the finding by the city clerk that the nomination petition, the written acceptance, and such other statements as may be required are in order, the name of such nominee shall be authorized to be placed upon the ballot.

* * * * *

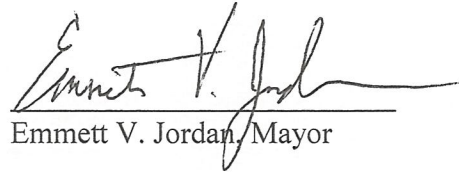
SECTION V BE IT FURTHER RESOLVED, that any provision of the City Charter that is inconsistent with the amendments contained in this Charter Resolution are hereby repealed.

SECTION VI BE IT FURTHER RESOLVED, that the date of the adoption of this resolution January 8, 2018, and that the amendment to the Charter of the City, as herein adopted, shall be and become effective on February 27, 2018, unless on or before 5:00 p.m. on February 17, 2018, a petition for referendum on this resolution meeting the requirements of §4-304 of the Md. Local Government Code Ann. is filed in writing, with the Mayor or City Manager.

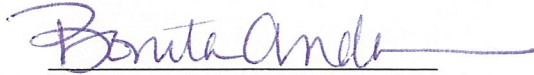
SECTION VII BE IT FURTHER RESOLVED that a complete and exact copy of this resolution shall be posted at the Greenbelt City Office, 25 Crescent Road, Greenbelt, Maryland, until February 17, 2018 and a fair summary of the proposed Charter amendment contained in this resolution shall be published in a newspaper of general circulation in the City of Greenbelt not fewer than four (4) times at weekly intervals before February 17, 2018.

SECTION VIII BE IT FURTHER RESOLVED that as soon as the Charter amendment hereby enacted shall become effective, either as herein provided or following a referendum, the City Manager shall send or cause to be sent to the Department of Legislative Reference the following information concerning this Charter resolution: (1) the complete text of this resolution; (2) the date of enactment of the Charter amendment; (3) the date of the referendum election, if any; (4) the number of votes cast for or against this resolution whether by the City Council or in a referendum; and (5) the effective date of the Charter amendment contained herein. The transmittal to the Maryland Department of Legislative Reference shall be in accordance with the provisions of §4-109 and Division II, Title 4, Subtitle 3 of the Local Government Article of the Annotated Code of Maryland, and any other applicable law.

SECTION IX AND BE IT FURTHER RESOLVED that the City Manager of the City of Greenbelt be and hereby is specifically enjoined and instructed to carry out or cause to be carried out the provisions of Sections VII and VIII.


Emmett V. Jordan, Mayor

ATTEST:


Bonita Anderson, City Clerk

Key:

Underscoring indicates language added to existing law.

[Boldface brackets] indicates language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.

Introduced: Ms. Davis
1st Reading: April 12, 2021
Passed: April 26, 2021
Posted: April 30, 2021
Effective: June 15, 2021

CHARTER AMENDMENT RESOLUTION NUMBER 2021-1

RESOLUTION NUMBER 2090

A Resolution to Amend Section 27 Titled “Absentee Voting” to be replaced with “Mail-In Voting” of the Greenbelt City Charter

WHEREAS, the City of Greenbelt wishes to allow any qualified City voter to vote by mail-in ballot in municipal elections, for any reason, on or before the day of an election; and

WHEREAS, the City Council and the Board of Elections wish to encourage higher levels of voter participation in municipal elections by trying various means to make the process of voting more convenient and easily accessible; and

WHEREAS, it is now desired to extend the established mail-in voting procedures, which are established by ordinance, to any qualified City voter who prefers to cast a ballot away from a polling place; and

WHEREAS, subsequent to the adoption of this Charter Amendment Resolution, the City Council will also review for passage an ordinance to amend Section 8-4 (“Absentee Voting”) of the City Code.

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED by the Council of the City of Greenbelt that the Charter of the City, found, in whole or in part, in the compilation of Municipal Charters of Maryland (1983 edition as amended), as prepared by the Department of Legislative Reference pursuant to Chapter 77 of the Acts of the General Assembly of Maryland of 1983, shall be amended by repealing and reenacting with amendment Section 27, titled “Absentee Voting,” as follows:

SECTION 27. [ABSENTEE] MAIL-IN VOTING.

Any qualified voter of the City of Greenbelt may vote by [absentee] mail-in ballot, without stating a reason. The procedures for applying for, casting, and counting [absentee] mail-in ballots shall be established by ordinance.

BE IT FURTHER RESOLVED that the date of the adoption of this resolution is April 26, 2021, and that the amendment to the Charter of the City, as herein adopted, shall be and become effective on June 15, 2021, unless on or before June 5, 2021, a proper petition for referendum on this resolution shall be filed, as permitted by law.

BE IT FURTHER RESOLVED that a complete and exact copy of this resolution shall be posted at the Greenbelt City Office, 25 Crescent Road, Greenbelt, Maryland, until June 5, 2021, and a fair summary of the proposed Charter amendment contained in this resolution shall be published in a newspaper of general circulation in the City of Greenbelt not fewer than four (4) times at weekly intervals before June 5, 2021.


BE IT FURTHER RESOLVED that as soon as the Charter amendment hereby enacted shall become effective, either as herein provided or following a referendum, the City Manager shall send to the Department of Legislative Reference the following information concerning this Charter resolution: (1) the complete text of this resolution; (2) the date of enactment of the Charter amendment; (3) the date of the referendum election, if any; (4) the number of votes cast for or against this resolution whether by the City Council or in a referendum; and (5) the effective date of the Charter amendment contained herein.

AND BE IT FURTHER RESOLVED that the City Manager of the City of Greenbelt be and hereby is specifically enjoined and instructed to carry out or cause to be carried out the provisions of Sections VI and VII.



Colin A. Byrd, Mayor

ATTEST:



Bonita Anderson, City Clerk

Key:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

CITY CODE
(As Most Recently Codified)

Chapter 8

Ordinance Number 1366 – page A-1

Ordinance Number 1371 – page A-2

Ordinance Number 1379 – page A-3

Section 2-111

Ordinance Number 1351 – page A-4

Chapter 8

ELECTIONS*

* **Charter References:** Elections, § 14 et seq.
State Law References: Election code, Anno. Code of Md., Art. 33, § 1-1 et seq.

Art. I. In General, §§ 8-1--8-20

Art. II. Campaign Contributions and Expenditures, §§ 8-21--8-26

ARTICLE I.

IN GENERAL

Sec. 8-1. Precincts.

For purposes of city elections, the city shall be divided into five (5) precincts, and the boundaries of each precinct shall be the same as those established by the county for those portions of precincts 3, 6, 8, 13 and 18 of the Twenty-first Election District located within the city.
(Code 1971, § 7-1; Ord. No. 1300, 6-22-09)

Sec. 8-2. Voter registration.

(a) Registration of persons wishing to vote in city elections shall be made in accordance with the provisions of section 18 of the charter.

(b) Reserved.
(Code 1971, § 7-2; Ord. No. 907, 3-23-81; Ord. No. 1109, 8-16-93)

Sec. 8-3. Polling places; maintenance of registration records.

The board of elections, by motion before each election, shall designate the polling place for each precinct; and the city clerk shall include in any notices of election the location of the polling place for each precinct. The city clerk shall maintain voter registration records for each precinct, and all voters shall be required to cast their ballot at the polling place for the precinct in which they reside.

Sec. 8-4. Absentee voting. (REF: Ordinance Number 1379 (page A-3))

(a) Residents of the city who are qualified voters registered with the Prince George's County Board of Elections have the right to vote by absentee ballot in municipal elections, as provided in this section.

(b) For purposes of this Code, an "absentee ballot" is a ballot not used in a polling place, and "election day" means the day of a municipal election.

- (c) Voting by absentee ballot in municipal elections shall be as follows:
 - (1) Except for an emergency absentee ballot, as provided below, a voter may apply for an absentee ballot for a municipal election without stating a reason.
 - (2) Applications for absentee ballots shall be made in writing to the city clerk not earlier than twenty (20) days nor later than 12:00 noon of the last day before election day.
 - a. Applications shall include the voter's name and signature as they appear on the registration list, city domicile address, and telephone number. Each absentee ballot issued requires a separate application.
 - b. A voter who has not been issued an absentee ballot but is unable to vote at a polling place because of illness or accident or required absence, where the voter suffers the illness or injury or learns of the required absence at a time when applying for an absentee ballot would be untimely or impractical, may be issued an emergency absentee ballot. An application for an emergency absentee ballot shall give the reason why it is needed and all other information required for regular absentee ballots. Emergency absentee ballots shall be cast in the same manner as regular absentee ballots.
 - c. A qualified voter domiciled in the city but residing outside the continental United States for the 30-day period ending on election day may apply for an absentee ballot by facsimile, if the application contains all information required of other absentee applicants and a certification that the voter meets the qualification, domicile, residency, and time requirements in this paragraph. No ballot may be cast by facsimile.
 - (3) To be counted, an absentee ballot must reach the office of the city clerk not later than two (2) hours before the polls close on election day.
 - (4) To cast it, the voter must complete the absentee ballot, place it in a blank, sealed envelope, and then place the sealed envelope in the absentee envelope on which are written the voter's name as registered and signature. The voter shall mail or deliver the absentee envelope to the city clerk's office. The city clerk shall check it against the list of applications for absentee ballots. An absentee envelope that does not correspond to a name on the absentee ballot application list shall not be opened. Absentee envelopes that contain more than one blank, sealed envelope shall be kept by the city clerk, and those absentee ballots shall not be counted. If a ballot is submitted in a properly signed and sealed absentee envelope without being contained in a blank, sealed envelope, then the board shall determine by majority vote whether a violation of the voter's privacy has occurred or whether the ballot may be counted. If a determination is made to count the ballot, then a member of the board shall place the ballot in a blank, sealed envelope.
 - (5) After the time has passed for receipt of absentee ballots on election day, as provided above, the city clerk shall deliver the sealed, blank envelopes to the clerks appointed by the board of elections for the counting of absentee ballots. The city clerk shall advise the absentee ballot clerks of the numbers of absentee ballots issued and absentee envelopes returned, and shall keep

the same record of the absentee ballots as is kept by the clerks of election at their polling places.

- (6) Upon receipt of the sealed, blank envelopes, the absentee ballot clerks shall deposit them in the ballot box. The absentee ballot clerks shall open the sealed envelopes and determine that no envelope contains more than one (1) ballot. Ballots in sealed envelopes that contain more than one (1) ballot shall not be counted.
- (7) The city clerk shall furnish voters absentee ballots for runoff elections as soon as runoff ballot forms are available. Otherwise, absentee balloting for runoff elections shall be as provided in this section.
- (8) A voter for whom an absentee ballot has been issued may vote only by casting the absentee ballot. If an absentee ballot is lost or destroyed and not returned in the absentee envelope to the city clerk, a second ballot may be issued.
- (9) If an absentee ballot is challenged by the city clerk or an absentee ballot clerk for noncompliance with this section, it may not be counted until the board of elections determines that it is valid. Absentee ballot validity shall be determined by rules adopted by the board.
- (10) If, before ballots are counted on election day, the city clerk or board of elections determines that a voter who cast an absentee ballot died before election day, then the ballot shall not be counted. But if, in a case of an absentee voter's death, neither the city clerk nor the board of elections determines until after ballots have been counted that the voter died before election day, then the ballot shall be counted, and neither the ballot nor the election may be held invalid because the voter died before election day.

(Code 1971, § 704; Ord. No. 916, 8-10-81; Ord. No. 966, 3-4-85; Ord. No. 1109, 8-16-93; Ord. No. 1152, 11-12-96; Ord. No. 1260, 8-8-05; Ord. No. 1289, 8-13-07)

State Law References: Authority of municipality to provide for absentee ballots, Anno. Code of Md., Art. 23A, § 47.

Sec. 8-5. Appointment of judge of election and clerks.

(a) The council shall authorize by resolution the number of judges and election clerks that shall serve at each precinct for each election. Such resolution shall be adopted no later than at the second regular meeting of the council held in September preceding the regular council election and at least ten (10) days preceding a special election. If the council shall not adopt a resolution within that time, the number of judges and clerks last authorized by the council for a regular council election shall be the number authorized for the forthcoming election and the number last authorized for a special election shall be the number authorized for a forthcoming special election.

(b) The board of elections shall appoint the judges and clerks not less than seven (7) days preceding an election and may designate additional persons to be alternate judges and clerks should an appointed judge or clerk not be able to serve on election day. Alternate judges and clerks shall not receive compensation unless they are required to work as a judge or clerk or to attend any training sessions(s) for which a training stipend is paid to judges and clerks.

(c) Nothing herein shall prevent the board of elections from appointing persons to serve as judges or clerks to fill any vacancy that occurs up to and including the time of election.

(Code 1971, § 7-5; Ord. No. 1240, 7-14-03; Ord. No. 1260, 8-8-05)

Sec. 8-6. Director of the count and assistants.

The judge of election shall serve as the director of the count for each precinct and the election clerks shall serve as assistants in taking the count.
(Code 1971, § 7-6)

Sec. 8-7. Reports of votes cast.

Each director of the count (judge of the election) shall certify in writing to the board of election, as soon after the count is completed as possible, the number of votes cast at the election, the number of votes cast for each candidate, the number of votes cast in favor or opposed to each referendum question placed on the ballot and the number of invalid ballots. The director of the count shall also break down the votes cast to the number cast by each voting machine and shall provide such other information as the board of elections or council shall require. The election clerks shall witness the count and the certification of the count.
(Code 1971, § 7-7)

Sec. 8-8. Preparation of certification of election results.

Upon the receipt of the certification of counts from all polling places, the board of elections shall total the counts and shall certify to the city clerk as to the total votes cast in the election for each candidate and for each referendum question. The board of elections also shall certify as to the names of those candidates elected and those candidates who must participate in a runoff election, if any, and as to the approval or disapproval of each referendum question.
(Code 1971, § 7-8)

Sec. 8-9. Posting and filing certification of election results.

The city clerk shall post upon a bulletin board in the municipal building provided for public notices, a copy of the certification of the election count and shall file with the city council the certification as the first order of business at the first meeting following the election, and such certification shall be made a part of the minutes of the council for that meeting.
(Code 1971, § 7-9)

Sec. 8-10. Campaign materials; authority line.

- (a) For purposes of this Code, "campaign material" means any material that:
 - (1) Contains text, graphics, or other images;
 - (2) Relates to a candidate, a prospective candidate, or the approval or rejection of a question; and
 - (3) Is published or distributed.
- (b) Except as otherwise provided in this section, each item of campaign material shall contain, set

apart from any other message, an authority line that states the name and address of the person, treasurer, or campaign manager responsible for the publication or distribution of the same.

- (c) The authority line need state only the name and title of the responsible person if:
 - (1) The name and address of the responsible person has been filed with the city clerk; or
 - (2) The campaign material item is too small to include all the information specified in paragraph (b) of this section in a legible form.

(d) Campaign material that is published or distributed in support of or in opposition to a candidate without being authorized by the candidate shall include the following statement: "This message has been authorized and paid for by (name of payer or any organization affiliated with the payer), (name and title of treasurer or president). This message has not been authorized or approved by any candidate."

(e) Any person who violates this section shall be guilty of a misdemeanor and subject to the penalties in chapter 1.

(Ord. No. 1260, 8-8-05)

Editors Note: Ordinance No. 1260, adopted August 8, 2005 amended § 8-10 in its entirety to read as herein set out. Former § 8-10 pertained to literature and derived from § 12-3 of the 1971 Code.

State Law References: Similar provisions, Anno. Code of Md., Art. 33, § 26-16(7).

Sec. 8-11. Conducting electioneering activities near polling places. (REF: Ordinance Number 1366 (page A-1))

No person may canvass, electioneer or post any campaign literature or material in a polling place or within a one hundred fifty-foot radius from the entrance and exit of the building closest to that part of the building in which voting occurs.

(Ord. No. 1077, 10-28-91; Ord. No. 1261, 8-8-05)

Editors Note: Ord. No. 1077, adopted Oct. 28, 1991, did not specifically amend this Code; hence, inclusion of its provisions as § 8-11 herein was at the discretion of the editor.

Sec. 8-12. Acceptance of nomination.

Any person accepting a nomination for office of member of the council shall file along with the nominating petition an affidavit containing a sworn statement, providing at least the candidate's name, date of birth, residence address and social security number. The statement shall be made on forms provided by the city clerk and approved by the city solicitor. Any candidate who fails to comply with the filing requirements contained herein, or files a false statement shall be deemed unqualified and the board of elections shall remove that candidate's name from the ballot prior to election.

(Ord. No. 1129, 12-12-94)

Sec. 8-13. Early voting. (REF: Ordinance Number 1371 (page A-2))

(a) Residents of the city who are qualified voters registered with the Prince George's County Board of Elections have the right to vote by early voting in municipal elections, as provided in this section.

- (b) For purposes of this Code, an "early voting ballot" is a ballot not used in a polling place on

election day nor for "absentee voting," and "election day" means the day of a municipal election.

- (c) Voting by early voting in municipal elections shall be as follows:
 - (1) Early voting will begin on the third Saturday prior to the election and end on the first Friday prior to the election on the following schedule: Third Saturday (9:00 a.m. to 1:00 p.m.) and third Sunday (11 a.m. to 2:00 p.m.) prior to the election in Greenbelt East; second Saturday (9:00 a.m. to 1:00 p.m.) and second Sunday (11 a.m. to 2:00 p.m.) prior to the election in Greenbelt West; and Mondays, Wednesdays, Thursdays and Fridays (9:00 a.m. to 5:00 p.m.) and Tuesdays (9:00 a.m. to 8:00 p.m.) in the municipal building throughout this period.
 - (2) To cast an early voting ballot, the voter must complete the ballot on the premises, place it in a blank, sealed envelope, and then place the sealed envelope in the early voting envelope on which are written the voter's name as registered and signature. The voter shall place the early voting envelope in the designated early voting ballot box. Early voting envelopes that contain more than one blank, sealed envelope shall be kept by the city clerk, and those early voting ballots shall not be counted. If a ballot is submitted in a properly signed and sealed early voting envelope without being contained in a blank, sealed envelope, then the board shall determine by majority vote whether a violation of the voter's privacy has occurred or whether the ballot may be counted. If a determination is made to count the ballot, then a member of the board shall place the ballot in a blank, sealed envelope.
 - (3) The city clerk shall deliver the ballot box containing the early voting sealed, blank envelopes to the early voting clerks appointed by the board of elections for the counting of early voting ballots. The city clerk shall advise the early voting clerks of the numbers of early voting ballots cast, and shall keep the same record of the early voting ballots as is kept by the clerks of election at their polling places.
 - (4) Upon receipt of the ballot box containing the early voting sealed, blank envelopes, the early voting clerks shall open the sealed envelopes and determine that no envelope contains more than one (1) ballot. Ballots in sealed envelopes that contain more than one (1) ballot shall not be counted.
 - (5) If an early voting ballot is challenged by the city clerk or an early voting ballot clerk for noncompliance with this section, it may not be counted until the board of elections determines that it is valid. Early voting ballot validity shall be determined by rules adopted by the board.

(Ord. No. 1302, 8-10-09)

Secs. 8-14--8-20. Reserved.

ARTICLE II.

CAMPAIGN CONTRIBUTIONS AND EXPENDITURES*

* **State Law References:** State fair campaign practices laws, Anno. Code of Md., Art. 33, §§ 26-2--26-21.

Sec. 8-21. Report required.

Each candidate for the office of council member and the designated campaign treasurer shall file with the city clerk reports as specified below which shall list each contribution, including any contribution of an in-kind service, and expenditure of more than twenty-five dollars (\$25.00) in furtherance of the candidate's nomination and election. The reports shall also include a total amount of all contributions and expenditures including those of twenty-five dollars (\$25.00) or less. The reports shall include all contributions received and expenditures made by the candidate or, with the knowledge of the candidate or the candidate's treasurer, by any other person. The reports shall include contributions made by the candidate or a member of his/her immediate family. All reports filed shall be available for examination by any member of the public during the normal office hours of the city clerk.

(Code 1971, § 7-11; Ord. No. 1185, 6-21-99; Ord. No. 1260, 8-8-05; Ord. No. 1303, 8-10-09)

Sec. 8-22. Deadline for filing report.

A first interim report of campaign contributions and expenditures received since the date of the last preceding regular election and prior to the seventh Monday preceding the election shall be filed no later than 12:00 p.m. on the sixth Friday preceding the election. A second interim report of campaign contributions and expenditures received between the seventh Monday preceding the election and prior to the third Monday preceding the election shall be filed no later than 12:00 p.m. on the second Friday preceding the election. A final report of campaign contributions and expenditures not previously reported shall be filed no later than 12:00 p.m. of the Friday following the election.

(Code 1971, § 7-12; Ord. No. 983, 5-5-86; Ord. No. 1260, 8-8-05; Ord. No. 1303, 8-10-09)

Sec. 8-23. Form; affirmation of report.

The reports shall be made on forms provided by the city clerk and approved by the city solicitor. The reports shall be subscribed and sworn to (or affirmed) by the candidate and by the candidate's treasurer.

(Code 1971, § 7-13; Ord. No. 1185, 6-21-99; Ord. No. 1260, 8-8-05; Ord. No. 1303, 8-10-09)

Sec. 8-24. Contributions not required to be reported.

The name of any person who shall pay or share in the paying of the total cost of an advertisement or printed matter in support of a candidate which prominently displays the person's name and the names of all other persons who may be sharing in the cost and who has otherwise made no contribution to the candidate in excess of twenty-five dollars (\$25.00) shall not be required to be reported by the candidate or by the candidate's treasurer as having made a campaign contribution. The name of any person who shall make a contribution on behalf of more than one candidate shall not be reported if the contribution is shared equally by the candidates for whose benefit it is made and if the contribution amounts to not more than twenty-five dollars (\$25.00) for each candidate sharing in and benefiting from the contribution.

(Code 1971, § 7-14; Ord. No. 1185, 6-21-99; Ord. No. 1260, 8-8-05; Ord. No. 1303, 8-10-09)

Sec. 8-25. Appointment of campaign treasurer.

Each candidate for nomination to the office of council member shall appoint one campaign treasurer and

shall file the name and address of the campaign treasurer, together with the treasurer's acceptance of the appointment in writing, on a form provided by, and returned to, the city clerk.
(Ord. No. 1185, 6-21-99; Ord. No. 1260, 8-8-05; Ord. No. 1303, 8-10-09)

Sec. 8-26. Failure to appoint a treasurer or file reports.

Any candidate who fails to appoint a treasurer or file the interim reports as required herein shall be deemed unqualified and the board of elections shall remove that candidate's name from the ballot prior to the election. Any candidate who fails to file the final report, if elected, shall not take office until such time as said report is filed. No person shall be deemed qualified for a future election to city council or allowed to submit a nomination petition who is in violation of any city election law and/or reporting requirements pursuant to the city Code.

(Ord. No. 1130, 12-12-94; Ord. No. 1185, 6-21-99; Ord. No. 1260, 8-8-05; Ord. No. 1303, 8-10-09)

Sec. 8-27. Campaign account.

Each candidate or campaign treasurer shall establish a bank account for the sole purpose of accepting and dispersing campaign funds. This bank account shall be separate from any other bank account owned or maintained by the candidate or campaign treasurer.

If a candidate has funds remaining in their account and wishes to disperse these funds for a purpose other than an expense of their campaign, they can donate the funds to another candidate, elected official and/or a qualified charitable organization. This section does not apply to funds donated by the candidate to his campaign.

(Ord. No. 1303, 8-10-09)

Ordinance Number 1366
page A-1

Introduced: Mr. Putens
1st Reading: November 26, 2018
Passed: December 10, 2018
Posted: December 11, 2018
Effective: December 10, 2018

ORDINANCE NUMBER 1366

An Ordinance to Amend Article I "In General" and Article II "Campaign Contributions and Expenditures" of Chapter 8, "Elections" of the Greenbelt City Code

WHEREAS, the City Council has reviewed the Greenbelt Board of Elections proposed amendments to Chapter 8, "Elections," of the Greenbelt City Code; and

WHEREAS, the Council desires to make certain changes to these provisions. *NOW, THEREFORE,*

BE IT ORDAINED by the Council of the City of Greenbelt, Maryland, that Chapter 8, "Elections," be amended to read as follows:

Chapter 8

ARTICLE I.

IN GENERAL

* * * * *

~~Sec. 8-11. Conducting electioneering activities near polling places.~~

~~No person may canvass, electioneer or post any campaign literature or material in a polling place or within a one hundred fifty foot radius from the entrance and exit of the building closest to that part of the building in which voting occurs.~~

Sec. 8-11. Electioneering near polling places.

(a) No person is permitted to canvass, electioneer, or post campaign materials at a polling place or within a radius of one hundred fifty feet from the building's entrance and exit closest to the room where voting occurs.

(b) This procedure shall be followed, if an Election Judge concludes that a worker for a candidate has violated and then ignored warnings about electioneering restrictions in this Code:

(1) The Election Judge shall first warn the worker of the restrictions. The judge must then

conclude that the worker after more than one warning continues to violate the restrictions.

(2) The Election Judge after reaching this conclusion is authorized to inform the City Clerk of the violations.

(3) The City Clerk is authorized, after informing the Board of Elections, to advise the candidate that a fine of \$100 must be paid to the finance department before the candidate's final campaign financial report can be accepted for filing.

(4) The Board of Elections shall review, on the candidate's written request, the determination by an Election Judge and the City Clerk that a worker for the candidate continually violated electioneering restrictions. The Board, after hearing the City Clerk's report and considering the candidate's written request, shall by majority vote decide whether the candidate's worker failed after warnings to comply with electioneering restrictions. The decision by the Board of Elections shall be final.

* * * * *

Sec. 8-13. Early voting.

~~(a) Residents of the city who are qualified voters registered with the Prince George's County Board of Elections have the right to vote by early voting in municipal elections, as provided in this section.~~

~~(b) For purposes of this Code, an "early voting ballot" is a ballot not used in a polling place on election day nor for "absentee voting," and "election day" means the day of a municipal election.~~

~~(c) Voting by early voting in municipal elections shall be as follows:~~

~~(1) Early voting will begin on the third Saturday prior to the election and end on the first Friday prior to the election on the following schedule: Third Saturday (9:00 a.m. to 1:00 p.m.) and third Sunday (11 a.m. to 2:00 p.m.) prior to the election in Greenbelt East; second Saturday (9:00 a.m. to 1:00 p.m.) and second Sunday (11 a.m. to 2:00 p.m.) prior to the election in Greenbelt West; and Mondays, Wednesdays, Thursdays and Fridays (9:00 a.m. to 5:00 p.m.) and Tuesdays (9:00 a.m. to 8:00 p.m.) in the Municipal Building throughout this period.~~

~~(2) To cast an early voting ballot, the voter must complete the ballot on the premises, place it in a blank, sealed envelope, and then place the sealed envelope in the early voting envelope on which are written the voter's name as registered and signature. The voter shall place the early voting envelope in the designated early voting ballot box. Early voting envelopes that contain more than one blank, sealed envelope shall be kept by the City Clerk, and those early voting ballots shall not be counted. If a ballot is submitted in a properly signed and sealed early voting envelope without being contained in a blank, sealed envelope, then the board shall~~

determine by majority vote whether a violation of the voter's privacy has occurred or whether the ballot may be counted. If a determination is made to count the ballot, then a member of the board shall place the ballot in a blank, sealed envelope.

(3) The City Clerk shall deliver the ballot box containing the early voting sealed, blank envelopes to the early voting clerks appointed by the board of elections for the counting of early voting ballots. The City Clerk shall advise the early voting clerks of the numbers of early voting ballots cast, and shall keep the same record of the early voting ballots as is kept by the clerks of election at their polling places.

(4) Upon receipt of the ballot box containing the early voting sealed, blank envelopes, the early voting clerks shall open the sealed envelopes and determine that no envelope contains more than one (1) ballot. Ballots in sealed envelopes that contain more than one (1) ballot shall not be counted.

(5) If an early voting ballot is challenged by the City Clerk or an early voting ballot clerk for noncompliance with this section, it may not be counted until the board of elections determines that it is valid. Early voting ballot validity shall be determined by rules adopted by the board.

Sec. 8-13. Early voting.

(a) Residents of the City who are qualified voters registered with the Prince George's County Board of Elections have the right to vote by early voting in municipal elections, as provided in this section.

(b) For purposes of this Code, an "early voting ballot" is a ballot not used for absentee voting or in a polling place on election day, and "election day" is the day of a municipal election.

(c) Early voting is authorized during the period from the fourth Saturday to the first Friday prior to an election, as follows:

(1) During the period, from 9:00 a.m. to 5:00 p.m. on all Mondays, Wednesdays, Thursdays, and Fridays, and from 9:00 a.m. to 8:00 p.m. on all Tuesdays, in the Municipal Building;

(2) From 9:00 a.m. to 1:00 p.m. on all Saturdays and from 11:00 a.m. to 2:00 p.m. on all Sundays during the period, at the Municipal Building;

(3) From 9:00 a.m. to 1:00 p.m. on the second Saturday and from 11:00 a.m. to 2:00 p.m. on the second Sunday prior to the election, also in Greenbelt West; and

(4) From 9:00 a.m. to 1:00 p.m. on the third Saturday and from 11:00 a.m. to 2:00 p.m. on the third Sunday prior to the election, also in Greenbelt East.

(d) Early voting ballots shall be cast and counted as follows:

(1) The voter must obtain and complete an early voting ballot on the designated premises; seal it in a blank envelope; place and seal the blank envelope in an early voting envelope, signed by the voter, with the name as registered printed on it; and then place the envelope in a designated ballot box.

(2) Ballots in early voting envelopes that contain more than one blank, sealed envelope shall be kept by the City Clerk but may not be counted.

(3) If a ballot is submitted in a properly signed and sealed early voting envelope but not contained within a blank, sealed envelope, then the Board shall decide by majority vote whether the ballot may be counted and whether the voter's privacy has been violated. If such a ballot is to be counted, it shall be placed in a blank, sealed envelope and then included with all other envelopes containing early voting ballots. The City Clerk shall notify by mail every voter whose privacy the Board determines has or might have been violated.

(4) The City Clerk shall deliver the early voting sealed, blank envelopes to the Clerks appointed by the Board for the counting of early voting ballots. The City Clerk shall advise them of the number of ballots cast and shall keep the same record of early voting ballots as is kept by the Clerks of election at their polling places.

(5) Upon receipt of the early voting sealed, blank envelopes, the Early Voting Clerks shall open them and determine whether any contain more than one ballot. A ballot in an envelope containing more than one ballot may not be counted.

(6) If the City Clerk or an Early Voting Clerk challenges a ballot for noncompliance with the Code, then the Board shall decide whether it may be counted. All such Board decisions, by majority vote, shall be final.

* * * * *

ARTICLE II.

CAMPAIGN CONTRIBUTIONS AND EXPENDITURES

Sec. 8-21. Report required.

Each candidate for the office of council member and the designated campaign treasurer shall file with the City Clerk reports as specified below which shall list each contribution, including any contribution of an in-kind service, and expenditure of more than twenty-five dollars (\$25.00) in furtherance of the candidate's nomination and election. The reports shall also include a total amount of all contributions and expenditures including those of twenty-five dollars (\$25.00) or less. The reports shall include all contributions received and expenditures

made by the candidate or, with the knowledge of the candidate or the candidate's treasurer, by any other person. The reports shall include contributions made by the candidate or a member of his/her immediate family. All reports filed shall be available for examination by any member of the public during the normal office hours of the City Clerk.

~~Sec. 8-23. Form; affirmation of report.~~

~~The reports shall be made on forms provided by the City Clerk and approved by the city solicitor. The reports shall be subscribed and sworn to (or affirmed) by the candidate and by the candidate's treasurer.~~

Sec. 8-21. Campaign Financial Reports.

(a) Each candidate for the office of council member and the candidate's treasurer shall file with the City Clerk an original of a campaign financial report, as specified below.

(b) Reports shall be available for public examination during the City Clerk's normal office hours.

(c) As soon as practicable after a report is filed, the City Clerk shall forward a copy to the Board of Elections. The Board shall review the report for compliance with this section.

(d) In this Code, a "contribution" to a candidate includes, as separately reportable categories: money and other financial assets, campaign materials and other physical assets, and services to a campaign, as further provided below.

(e) Campaign financial reports shall include the following:

(1) Each contribution of money or other financial assets whose value exceeds twenty-five dollars (\$25.00):

(2) Each contribution of campaign materials or other physical assets whose value exceeds twenty-five dollars (\$25.00):

(3) Each contribution of services to a campaign, where the services have value exceeding twenty-five dollars (\$25.00) and are provided by an accountant or bookkeeper, an attorney or legal adviser, or any other person, such as an artist or designer, whose services the candidate would ordinarily pay for:

(4) All contributions whose value exceeds twenty-five dollars (\$25.00) by candidates themselves or any member of their immediate families, in which listings the category and value of each contribution is separately stated:

(5) The total value of all contributions, of every category, regardless of the value of individual items;

(6) Each expenditure whose amount exceeds twenty-five dollars (\$25.00); and

(7) The total of all expenditures, regardless of amount.

(f) The campaign financial reports for each candidate shall be subscribed and sworn to, or affirmed, by the candidate and by the candidate's treasurer.

(g) The Board of Elections shall prepare and from time to time revise the form used for campaign financial reports, which must also be approved by the City Solicitor.

Sec. 8-22. Deadline for filing report.

A first interim report of campaign contributions and expenditures received since the date of the last preceding regular election and prior to the seventh Monday preceding the election shall be filed no later than 12:00 p.m. on the sixth Friday preceding the election. A second interim report of campaign contributions and expenditures received between the seventh Monday preceding the election and prior to the third Monday preceding the election shall be filed no later than 12:00 p.m. on the second Friday preceding the election. A final report of campaign contributions and expenditures not previously reported shall be filed no later than 12:00 p.m. of the Friday following the election.

Sec. 8-26. Failure to appoint a treasurer or file reports.

Any candidate who fails to appoint a treasurer or file the interim reports as required herein shall be deemed unqualified and the board of elections shall remove that candidate's name from the ballot prior to the election. Any candidate who fails to file the final report, if elected, shall not take office until such time as said report is filed. No person shall be deemed qualified for a future election to city council or allowed to submit a nomination petition who is in violation of any city election law and/or reporting requirements pursuant to the city Code.

Sec. 8-22. Times for filing; lateness fines; striking a candidate's name.

(a) Campaign financial reports shall be filed at the times specified below.

(1) A first interim campaign financial report, covering contributions received and expenditures made since the most recent regular election and prior to the seventh Monday preceding the election, shall be filed no later than 12:00 p.m. on the sixth Friday preceding the election. The first interim report shall also state whether the candidate's campaign account was opened for the present campaign or was also open for a prior campaign.

(2) A second interim report, for contributions received and expenditures made between the seventh Monday preceding the election and prior to the third Monday preceding the election, shall be filed no later than 12:00 p.m. on the second Friday preceding the election.

(3) A final campaign financial report, covering all contributions received and expenditures made and not previously reported, shall be filed no later than 12:00 p.m. on the Friday following the election.

(b) For each full or partial business day a report is filed late, a candidate must pay a fine of \$50.00, to a maximum of \$500.00. The City Clerk may not accept for filing a late report unless the full fine is first paid to the finance department and a receipt for the payment accompanies the report.

(c) A candidate who fails to file the final report, if elected, shall not take office until the report is filed.

(d) The Board of Elections is authorized to strike from the ballot the name of any candidate whose report or reports it finds are substantially late, if the Board also finds that the lateness shows purposeful disregard for financial reporting requirements.

(e) The Board of Elections is further authorized to strike the name of any candidate whom it finds has not substantially complied with financial reporting requirements.

(f) A candidate found to be in violation of financial reporting requirements may correct the violations, on terms approved by the Board of Elections. In reviewing a candidate's request, submitted in writing within ten business days of the date the City Clerk sends written notification of the violation or violations, the Board shall consider the circumstances reported by the candidate and the reasons offered for the candidate's noncompliance.

(g) No person who is in violation of a City Election law or reporting requirement in this Code may submit a nomination petition or run for the office of City Council. If a complaint is filed with the City Clerk against a candidate under this section, then the Board of Elections shall determine whether the candidate is eligible for office.

Sec. 8-24 23. Contributions not required to be reported.

The name of any person who shall pay or share in the paying of the total cost of an advertisement or printed matter in support of a candidate which prominently displays the person's name and the names of all other persons who may be sharing in the cost and who has otherwise made no contribution to the candidate in excess of twenty-five dollars (\$25.00) shall not be required to be reported by the candidate or by the candidate's treasurer as having made a campaign contribution. The name of any person who shall make a contribution on behalf of more than one candidate shall not be reported if the contribution is shared equally by the candidates for whose benefit it is made and if the contribution amounts to not more than twenty-five dollars (\$25.00) for each candidate sharing in and benefiting from the contribution.

~~Sec. 8-25. Appointment of campaign treasurer.~~

~~Each candidate for nomination to the office of council member shall appoint one campaign treasurer and shall file the name and address of the campaign treasurer, together with the treasurer's acceptance of the appointment in writing, on a form provided by, and returned to, the city clerk.~~

~~Sec. 8-26. Failure to appoint a treasurer or file reports.~~

~~Any candidate who fails to appoint a treasurer or file the interim reports as required herein shall be deemed unqualified and the board of elections shall remove that candidate's name from the ballot prior to the election. Any candidate who fails to file the final report, if elected, shall not take office until such time as said report is filed. No person shall be deemed qualified for a future election to city council or allowed to submit a nomination petition who is in violation of any city election law and/or reporting requirements pursuant to the city Code.~~

Sec. 8-24. Campaign treasurer.

(a) Prior to nomination for the office of Councilmember, a candidate shall state, on a form provided by the City Clerk, the name, address, and daytime telephone number of the candidate's campaign treasurer. The treasurer must accept the appointment by signing and dating the form. The City Clerk shall not receive or file a candidate's nomination petition, if the candidate or treasurer has not met these requirements.

(b) If a campaign treasurer leaves the position prior to the Friday before an election, then the candidate shall forthwith appoint a successor treasurer. If a treasurer violates reporting requirements in this Code, then the candidate must correct the violation. The Board of Elections is authorized to strike from the ballot any candidate who has not complied promptly with these requirements.

(c) A person who remains in violation of reporting or other requirements in this Code may not submit a nomination petition for a future election.

~~Sec. 8-27. Campaign account.~~

~~Each candidate or campaign treasurer shall establish a bank account for the sole purpose of accepting and dispersing campaign funds. This bank account shall be separate from any other bank account owned or maintained by the candidate or campaign treasurer.~~

~~If a candidate has funds remaining in their account and wishes to disperse these funds for a purpose other than an expense of their campaign, they can donate the funds to another candidate, elected official and/or a qualified charitable organization. This section does not apply to funds donated by the candidate to his campaign.~~

Sec. 8-25. Campaign accounts.

(a) Each candidate or campaign treasurer shall establish an account in a financial institution for the sole purpose of accepting and distributing campaign funds.

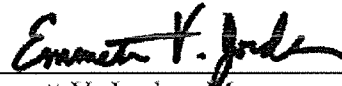
(b) Candidates may donate any of their campaign account funds to the campaign accounts of other candidates or elected officials, or to qualified charitable organizations.

(c) This section does not apply to funds donated by candidates to their own campaigns, but candidates must report all such contributions and any expenditures, as provided in this Code.

(d) In the final campaign financial report, each candidate shall state whether the campaign account will remain open. If the account will be closed, the report shall state how any remaining funds will be disbursed.

* * * * *

PASSED by the Council of the City of Greenbelt, Maryland, at its regular meeting of December 10, 2018.



Emmett V. Jordan, Mayor

ATTEST:



Bonita Anders, City Clerk

Key:

Underscoring indicates language added to existing law.

~~Overstriking~~ indicates language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.

Ordinance Number 1371
page A-2

Introduced: Ms. Davis
1st Reading: August 12, 2019
Passed: August 12, 2019
Posted: August 13, 2019
Effective: August 12, 2019

ORDINANCE NUMBER 1371

AN ORDINANCE TO AMEND ARTICLE I “IN GENERAL”, SECTION 13 “EARLY VOTING” OF CHAPTER 8, “ELECTIONS” OF THE GREENBELT CITY CODE

WHEREAS, the City Council adopted Ordinance 1366 based on recommendations from the Greenbelt Board of Elections; and

WHEREAS, the Board of Elections and City staff have identified a technical problem with implementing simultaneous Early Voting at more than one location; and

WHEREAS, the City desires to modify the early voting provisions to resolve this issue NOW, THEREFORE,

BE IT ORDAINED by the Council of the City of Greenbelt, Maryland, that Chapter 8, “Elections,” be amended to read as follows:

Chapter 8

ARTICLE I.

IN GENERAL

* * * * *

Sec. 8-13. Early voting.

(a) Residents of the City who are qualified voters registered with the Prince George’s County Board of Elections have the right to vote by early voting in municipal elections, as provided in this section.

(b) For purposes of this Code, an “early voting ballot” is a ballot not used for absentee voting or in a polling place on election day, and “election day” is the day of a municipal election.

(c) Early voting is authorized during the period from the fourth Saturday to the first Friday prior to an election, as follows:

(1) During the period, from 9:00 a.m. to 5:00 p.m. on all Mondays, Wednesdays, Thursdays, and Fridays, and from 9:00 a.m. to 8:00 p.m. on all Tuesdays, in the Municipal Building;

(2) From 9:00 a.m. to 1:00 p.m. on ~~all~~ the first Saturdays and from 11:00 a.m. to 2:00 p.m. on ~~all~~ the first Sundays during the period, at the Municipal Building;

(3) From 9:00 a.m. to 1:00 p.m. on the second Saturday and from 11:00 a.m. to 2:00 p.m. on the second Sunday prior to the election, also in Greenbelt West; and

(4) From 9:00 a.m. to 1:00 p.m. on the third Saturday and from 11:00 a.m. to 2:00 p.m. on the third Sunday prior to the election, also in Greenbelt East.

(d) Early voting ballots shall be cast and counted as follows:

(1) The voter must obtain and complete an early voting ballot on the designated premises; seal it in a blank envelope; place and seal the blank envelope in an early voting envelope, signed by the voter, with the name as registered printed on it; and then place the envelope in a designated ballot box.

(2) Ballots in early voting envelopes that contain more than one blank, sealed envelope shall be kept by the City Clerk but may not be counted.

(3) If a ballot is submitted in a properly signed and sealed early voting envelope but not contained within a blank, sealed envelope, then the Board shall decide by majority vote whether the ballot may be counted and whether the voter's privacy has been violated. If such a ballot is to be counted, it shall be placed in a blank, sealed envelope and then included with all other envelopes containing early voting ballots. The City Clerk shall notify by mail every voter whose privacy the Board determines has or might have been violated.


(4) The City Clerk shall deliver the early voting sealed, blank envelopes to the Clerks appointed by the Board for the counting of early voting ballots. The City Clerk shall advise them of the number of ballots cast and shall keep the same record of early voting ballots as is kept by the Clerks of election at their polling places.

(5) Upon receipt of the early voting sealed, blank envelopes, the Early Voting Clerks shall open them and determine whether any contain more than one ballot. A ballot in an envelope containing more than one ballot may not be counted.


(6) If the City Clerk or an Early Voting Clerk challenges a ballot for noncompliance with the Code, then the Board shall decide whether it may be counted. All such Board decisions, by majority vote, shall be final.

* * * * *

PASSED by the Council of the City of Greenbelt, Maryland, at its regular meeting of August 12, 2019.


Emmett V. Jordan, Mayor

ATTEST:


Bonita Anderson, City Clerk

Key:

Underscoring indicates language added to existing law.

~~Overstriking~~ indicates language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.

Ordinance Number 1379
page A-3

Introduced: Mayor Byrd
1st Reading: May 10, 2021
Introduced: Ms. Davis
2nd Reading: May 24, 2021
Passed: May 24, 2021
Posted: June 15, 2021
Effective: May 24, 2021

ORDINANCE NUMBER 1379

An Ordinance to Amend Article I "In General", "Section 8-4 "Absentee Voting" of Chapter 8, Elections" of the Greenbelt City Code

WHEREAS, the City Council referred to the Greenbelt Board of Elections to prepare a proposal on procedures and implementation of a vote by mail process; and

WHEREAS, the City's Board of Elections proposed replacement of absentee voting with vote by mail to give voter the option to vote without having any reason; and

WHEREAS, it is now desired to extend the established mail-in voting procedures, which are established by ordinance, to any qualified City voter who prefers to cast a ballot away from a polling place; and

WHEREAS, subsequent to the adoption of this ordinance, the City Council will also review for passage a Charter Amendment Resolution to amend Section 27 ("Absentee Voting") of the City Code. NOW, THEREFORE,

BE IT RESOLVED AND ORDAINED by the Council of the City of Greenbelt, Maryland, that Chapter 8, "Elections," be amended to read as follows:

Chapter 8

ARTICLE I.

IN GENERAL

* * * * *

Section 8-4. [Absentee] Mail-in Voting.

(a) In this section:

- (1) a "mail-in ballot" is a ballot cast in a municipal election, by mail or in a drop box;
- (2) a "mail-in voting resolution" is a Council resolution in an election year setting mail-in voting procedures for that year;
- (3) a "mail-in notice" is a notice mailed by the city clerk to voters in an election year, to advise of

mail-in voting procedures in that year;

(4) a “mail-in application” is a form prepared by the city clerk that voters must use to apply for a mail-in ballot;

(5) a “mail-in envelope” is an envelope, prepared in bulk by the city clerk, on which voters place their names and signatures, and in which they place their sealed mail-in ballots before casting them;

(6) a “mail-in ballot clerk” is a clerk appointed by the board of elections for assisting in the counting of mail-in ballots;

(7) “election day” means the day of a municipal election; and

(8) the city clerk will usually be referred to as the “clerk,” and the board of elections will be called the “board.”

(b) Residents of the city who are qualified voters registered with the Prince George’s County Board of Elections have the right to vote by [absentee] mail-in ballot in municipal elections, as provided in this section. Voters may cast mail-in ballots for any reason.

(1) In each election year, the council by resolution shall direct the clerk to mail to registered voters two [or more] mail-in notices explaining procedures for mail-in voting. If practicable, the resolution should be approved by the last Monday in March, but the validity of a resolution shall not be affected by its timing.

(2) Each mail-in notice shall advise voters of their right to vote by mail-in ballot, how to do so, and the time and date by which mail-in ballots must be received or post-marked to be counted. [One] Second notice shall include for each voter a mail-in application with instructions how to obtain a mail-in ballot.

(3) Upon approval of the mail-in voting resolution, the clerk shall: (i) obtain a current list of residents registered to vote; (ii) mail to all registered voters two [or more] mail-in notices, as stated in the resolution, advising of their right to vote by mail-in and instructing them how to do so; (iii) send each voter a mail-in application; and (iv) mail to each voter who applies for one a mail-in ballot, with instructions how and by what time and date to submit it.

[(b) For purposes of this Code, an “absentee ballot” is a ballot not used in a polling place, and “election day” means the day of a municipal election.]

(c) [Voting by absentee] Unless otherwise provided in a mail-in voting resolution, voting by mail-in ballot in municipal elections shall be as follows:

(1) Except for an emergency [absentee] mail-in ballot, as provided below, a voter may apply for [an absentee] a mail-in ballot for a municipal election without stating a reason.

(2) [Applications for absentee ballots] Mail-in applications shall be [made in writing] submitted to

the [city] clerk not [earlier than twenty (20) days nor] later than 12:00 noon of the last day before election day.

(i) [Applications shall include the voter's] On mail-in applications, voters shall provide their name and signature as they appear on the registration list, city domicile address, and telephone number. [Each absentee ballot issued requires a] A separate application is required for each mail-in ballot.

(ii) A voter who has not been issued [an absentee] a mail-in ballot but is unable to vote at a polling place because of illness or accident or required absence, where the voter suffers the illness or injury or learns of the required absence at a time when applying for [an absentee] a mail-in ballot [would be] is untimely or impractical, may be issued an emergency [absentee] mail-in ballot. An application for an emergency [absentee] mail-in ballot shall give the reason why it is needed and all other information required for [regular absentee] non-emergency mail-in ballots. Emergency [absentee] mail-in ballots shall be cast in the same manner as [regular absentee] non-emergency mail-in ballots.

(iii) A qualified voter domiciled in the city but [residing] outside the continental United States for the 30-day period ending on election day may apply for [an absentee] a mail-in ballot by facsimile or scanner, if the [application contains] voter provides all information required of other [absentee applicants] voters applying for a mail-in ballot and [a certification] certifies that the voter meets the qualification, domicile, residency, and time requirements in this [paragraph] subsection (c). [No ballot] Ballots may not be cast by facsimile or scanner.

(3) [To be counted, an absentee ballot must reach the office of the city clerk not later than] Unless otherwise provided in a mail-in voting resolution, a mail-in ballot may not be counted unless the clerk's office receives it at least two [(2)] hours before [the] polls close on election day.

(4) To cast [it, the] a mail-in ballot, a voter must: (i) complete the [absentee] ballot, following the printed instructions; (ii) place [it] the ballot in a blank, sealed envelope[, and then]; (iii) place the sealed envelope in the [absentee] mail-in envelope, on which [are written the voter's] the voter writes his or her name as registered; [and signature] (iv) sign the mail-in envelope; [. The voter shall] and (v) place the signed, mail-in envelope in a designated drop box, or mail or deliver [the absentee envelope] it to the [city] clerk's office.

(5) The [city] clerk shall check [it] each mail-in envelope against the list of applications for [absentee ballots. An absentee envelope that] mail-in ballots. An envelope with a name that does not correspond to [a name] one on the [absentee ballot] mail-in application list shall not be opened. [Absentee] Mail-in envelopes that contain more than one blank, sealed envelope shall be kept by the [city] clerk, but the [and those absentee] ballots shall not be counted. If a ballot is submitted in a properly signed and sealed [absentee] mail-in envelope [without being] but is not contained in a blank, sealed envelope, then the board shall determine by majority vote whether [a violation of] the voter's privacy [has occurred or] may have been compromised and whether the ballot may be counted. If [a determination is made] the board decides to count the ballot, then the clerk or a board member [of the board] shall place the ballot in a blank, sealed envelope. The clerk shall mail the voter a notice stating that the mail-in ballot was not enclosed in a sealed envelope, advising whether the board decided to count the ballot, and also advising that the voter's privacy may have been compromised.

[(5) After] (6) On election day, after the time [has passed] for receipt of [absentee ballots on election day, as provided above] mail-in ballots has passed, the city clerk shall deliver the sealed, blank envelopes to the mail-in ballot clerks [appointed by the board of elections for the counting of absentee ballots]. The city clerk shall advise the [absentee] mail-in ballot clerks of the [numbers of absentee] number of mail-in ballots issued and [absentee] mail-in envelopes returned, and shall keep the same record of [the absentee] mail-in ballots as is kept by the clerks of election at their polling places.

[(6)] (7) Upon receipt of the sealed, blank envelopes, the [absentee] mail-in ballot clerks shall deposit them in [the] a ballot box. The [absentee] mail-in ballot clerks shall then open the sealed envelopes [and determine], to ensure that no envelope contains more than one [(1)] ballot. Ballots in sealed envelopes that contain more than one [(1)] ballot shall not be counted.

[(7)] (8) The [city] clerk shall [furnish voters absentee] make mail-in ballots available for runoff elections as soon as runoff [ballot forms are available] ballots have been printed. Otherwise, [absentee] mail-in balloting for runoff elections shall [be as provided] follow the procedures in this section.

[(8)] (9) A voter for whom [an absentee] a mail-in ballot has been issued may vote only by casting the [absentee] mail-in ballot. If [an absentee] a mail-in ballot is lost or destroyed and not returned in the [absentee] mail-in envelope to the [city] clerk, a second ballot may be issued.

[(9)] (10) If [an absentee] a mail-in ballot is challenged by the city clerk or [an absentee] a mail-in ballot clerk for noncompliance with this section, it may not be counted until the board [of elections] determines that it is valid. [Absentee ballot validity shall be determined by rules adopted by the board.]


[(10)] (11) If, before ballots are counted [on election day], the [city] clerk or board [of elections] determines that a voter who cast [an absentee] a mail-in ballot died before election day, then the ballot shall not be counted. [But if, in a case of an absentee] If, however, upon a mail-in voter's death, neither the [city] clerk nor the board [of elections] determines until after ballots have been counted that the voter died before election day, then the ballot shall be counted, and neither the ballot nor the election may be held invalid because the voter died before election day.

* * * * *

PASSED by the Council of the City of Greenbelt, Maryland, at its regular meeting of May 24th, 2021.


Colin A. Byrd, Mayor

ATTEST:


Bonita Anderson, City Clerk

Key:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.

Section 2-111

Sec. 2-111. Financial disclosure--Elected officials, appointed officials, and employees.

(a) This section applies to all elected officials, all candidates to be elected officials, and the following city employees:

Elected city officials, the city manager, the assistant city manager, the city clerk, all directors and assistant directors of city departments, police command staff at the rank of captain and above, and candidates for elective city office.

(b) Except as provided in subsection (d) of this section, an elected official, employee, or candidate to be an elected official shall file the financial disclosure statement required under this subsection:

- (1) On a form provided by the commission;
 - (2) Under oath or affirmation; and
 - (3) With the commission.
- (c) Deadlines for filing statements.
- (1) An incumbent official or employee shall file a financial disclosure statement annually no later than April 30 of each year for the preceding calendar year.
 - (2) An official or employee who is appointed to fill a vacancy in an office for which a financial disclosure statement is required and who has not already filed a financial disclosure statement shall file a statement for the preceding calendar year within thirty (30) days after appointment.
 - (3)
 - (i) An individual who, other than by reason of death, leaves an office for which a statement is required shall file a statement within sixty (60) days after leaving the office.
 - (ii) The statement shall cover:
 - (A) The calendar year immediately preceding the year in which the individual left office, unless a statement covering that year has already been filed by the individual; and
 - (B) The portion of the current calendar year during which the individual held the office.
- (d) Candidates to be elected officials.
- (1) Except for an official or employee who has filed a financial disclosure statement

under another provision of this section for the reporting period, a candidate to be an elected official shall file a financial disclosure statement each year beginning with the year in which the nomination petition is filed through the year of the election.

- (2) A candidate to be an elected official shall file a statement required under this section:
 - (i) In the year the nomination petition is filed, no later than the filing deadline for the nomination petition; and
 - (ii) In all other years for which a statement is required, on or before April 30.
- (3) A candidate to be an elected official:
 - (i) Shall file the statement required under section 2-111(d)(2)(i) of this article with the city clerk with the nomination petition; and
 - (ii) Shall file the statements required under section 2-111(d)(2)(ii) of this article with the city clerk.
- (4) The city clerk will not authorize a candidate unless a statement required under this section has been filed in proper form by the established deadlines.
- (5) Within thirty (30) days of the receipt of a statement required under this section, the city clerk shall forward the statement to the commission, or an office designated by the commission.
- (e) Public record.
- (1) The commission or office designated by the commission shall maintain all financial disclosure statements filed under this section.
- (2) The commission or office designated by the commission shall make financial disclosure statements available during normal office hours for examination and copying by the public, subject to reasonable fees and administrative procedures established by the commission.
- (3) If an individual examines or copies a financial disclosure statement, the commission or the office designated by the commission shall record:
 - (i) The name and home address of the individual reviewing or copying the statement; and
 - (ii) The name of the person whose financial disclosure statement was examined or copied.

- (4) Upon request by the individual whose financial disclosure statement was examined or copied, the commission or the office designated by the commission shall provide the official or employee with a copy of the name and home address of the person who reviewed the official's or employee's financial disclosure statement.

(f) Retention requirements. The commission or the office designated by the commission shall retain financial disclosure statements for four (4) years from the date of receipt.

- (g) Contents of statement.

- (1) Interests in real property.

- (i) A statement filed under this section shall include a schedule of all interests in real property wherever located.

- (ii) For each interest in real property, the schedule shall include:

- (A) The nature of the property and the location by street address, mailing address, or legal description of the property;
 - (B) The nature and extent of the interest held, including any conditions and encumbrances on the interest;
 - (C) The date when, the manner in which, and the identity of the person from whom the interest was acquired;
 - (D) The nature and amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired;
 - (E) If any interest was transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received for the interest, and the identity of the person to whom the interest was transferred; and
 - (F) The identity of any other person with an interest in the property.

- (2) Interests in corporations and partnerships.

- (i) A statement filed under this section shall include a schedule of all interests in any corporation, partnership, limited liability partnership, or limited liability corporation, regardless of whether the corporation or partnership

does business with the City of Greenbelt;

- (ii) For each interest reported under this paragraph, the schedule shall include:
 - (A) The name and address of the principal office of the corporation, partnership, limited liability partnership, or limited liability corporation;
 - (B) The nature and amount of the interest held, including any conditions and encumbrances on the interest;
 - (C) With respect to any interest transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received for the interest, and, if known, the identity of the person to whom the interest was transferred; and
 - (D) With respect to any interest acquired during the reporting period:
 - 1. The date when, the manner in which, and the identity of the person from whom the interest was acquired; and
 - 2. The nature and the amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired.
- (iii) An individual may satisfy the requirement to report the amount of the interest held under item (ii)(B) of this paragraph by reporting, instead of a dollar amount:
 - (A) For an equity interest in a corporation, the number of shares held and, unless the corporation's stock is publicly traded, the percentage of equity interest held; or
 - (B) For an equity interest in a partnership, the percentage of equity interest held.
- (3) Interests in business entities doing business with the City of Greenbelt.
 - (i) A statement filed under this section shall include a schedule of all interests in any business entity that does business with the City of Greenbelt other than interests reported under paragraph (2) of this subsection.
 - (ii) For each interest reported under this paragraph, the schedule shall include:

- (A) The name and address of the principal office of the business entity;
- (B) The nature and amount of the interest held, including any conditions to and encumbrances on the interest;
- (C) With respect to any interest transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received in exchange for the interest, and, if known, the identity of the person to whom the interest was transferred; and
- (D) With respect to any interest acquired during the reporting period:
 - 1. The date when, the manner in which, and the identity of the person from whom the interest was acquired; and
 - 2. The nature and the amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired.

(4) Gifts.

- (i) A statement filed under this section shall include a schedule of each gift in excess of twenty dollars (\$20.00) in value or a series of gifts totaling one hundred dollars (\$100.00) or more received during the reporting period from or on behalf of, directly or indirectly, any one person who does business with the City of Greenbelt.
- (ii) For each gift reported, the schedule shall include:
 - (A) A description of the nature and value of the gift; and
 - (B) The identity of the person from whom, or on behalf of whom, directly or indirectly, the gift was received.

(5) Employment with or interests in entities doing business with the City of Greenbelt.

- (i) A statement filed under this section shall include a schedule of all offices, directorships, and salaried employment by the individual or member of the immediate family of the individual held at any time during the reporting period with entities doing business with the City of Greenbelt.
- (ii) For each position reported under this paragraph, the schedule shall include:

- (A) The name and address of the principal office of the business entity;
 - (B) The title and nature of the office, directorship, or salaried employment held and the date it commenced; and
 - (C) The name of each City of Greenbelt agency with which the entity is involved as indicated by identifying one or more of the three (3) categories of "doing business", as defined in section 2-108(d) of this article.
- (6) Indebtedness to entities doing business with City of Greenbelt.
 - (i) A statement filed under this section shall include a schedule of all liabilities, excluding retail credit accounts, to persons doing business with the City of Greenbelt owed at any time during the reporting period:
 - (A) By the individual; or
 - (B) By a member of the immediate family of the individual if the individual was involved in the transaction giving rise to the liability.
 - (ii) For each liability reported under this paragraph, the schedule shall include:
 - (A) The identity of the person to whom the liability was owed and the date the liability was incurred;
 - (B) The amount of the liability owed as of the end of the reporting period;
 - (C) The terms of payment of the liability and the extent to which the principal amount of the liability was increased or reduced during the year; and
 - (D) The security given, if any, for the liability.
- (7) Employment with the City of Greenbelt. A statement filed under this section shall include a schedule of the immediate family members of the individual employed by the City of Greenbelt in any capacity at any time during the reporting period.
- (8) Sources of earned income.
 - (i) A statement filed under this section shall include a schedule of the name and address of each place of employment and of each business entity of which the individual or a member of the individual's immediate family

was a sole or partial owner and from which the individual or member of the individual's immediate family received earned income, at any time during the reporting period.

- (ii) A minor child's employment or business ownership need not be disclosed if the agency that employs the individual does not regulate, exercise authority over, or contract with the place of employment or business entity of the minor child.

- (9) A statement filed under this section may also include a schedule of additional interests or information that the individual making the statement wishes to disclose.

(h) For the purposes of section 2-111(g)(1), (2), and (3) of this article, the following interests are considered to be the interests of the individual making the statement:

- (1) An interest held by a member of the individual's immediate family, if the interest was, at any time during the reporting period, directly or indirectly controlled by the individual.

- (2) An interest held by a business entity in which the individual held a thirty (30) percent or greater interest at any time during the reporting period.

- (3) An interest held by a trust or an estate in which, at any time during the reporting period:

- (i) The individual held a reversionary interest or was a beneficiary; or

- (ii) If a revocable trust, the individual was a settlor.

- (i) (1) The commission shall review the financial disclosure statements submitted under this section for compliance with the provisions of this section and shall notify an individual submitting the statement of any omissions or deficiencies within fifteen (15) days after nomination petition deadline for candidates for election, and within sixty (60) days after the established deadline for all other officials and employees.

- (2) The City of Greenbelt Ethics Commission may take appropriate enforcement action to ensure compliance with this section.

(Ord. No. 1318, 9-26-11)

Ordinance Number 1351
page A-4

Introduced: Ms. Pope
1st Reading: March 13, 2017
Passed: March 27, 2017
Posted: March 28, 2017
Effective: April 6, 2017

ORDINANCE NUMBER 1351

AN ORDINANCE TO AMEND GREENBELT CITY CODE, CHAPTER 2, "ADMINISTRATION," ARTICLE IV, "PUBLIC ETHICS," SEC. 2-111 "FINANCIAL DISCLOSURE – ELECTED OFFICIALS, APPOINTED OFFICIALS AND EMPLOYEES" TO AMEND THE REAL PROPERTY AND CITY EMPLOYMENT REPORTING REQUIREMENTS FOR CERTAIN EMPLOYEES

WHEREAS, on September 26, 2011, the City Council enacted City Code, Chapter 2 "Administration," Article IV "Public Ethics", to comply with State Ethics Law requirements; and

WHEREAS, staff requested that the City Council consider whether it is necessary to require certain employees to identify their home addresses and City employment of immediate family members on their financial disclosure statements; and

WHEREAS, Council has considered the request and confirmed that the information is not required to be provided under State law, and accordingly desires to amend the real property and City employment reporting requirements for designated employees of the City.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Greenbelt, Maryland, that City Code, Chapter 2, Article IV "Ethics," Sec. 2-111 "Financial disclosure – Elected officials, appointed officials and employees" is amended to read as follows:

Sec. 2-111. Financial disclosure--Elected officials, candidates to be elected officials, ~~appointed officials~~, and certain employees.

(a) This section applies to all elected officials, all candidates to be elected officials, and the following city employees:

~~Elected city officials, the~~ The city manager, the assistant city manager, the city clerk, all directors of city departments (including the Chief of Police), and assistant directors of city departments, and police command staff at the rank of captain and above, ~~and candidates for elective city office.~~

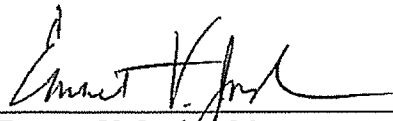
(g) Contents of statement

(1) Interests in real property.

- (i) A statement filed under this section shall include a schedule of all interests in real property wherever located.
- (ii) For each interest in real property, the schedule shall include:
 - (A) The nature of the property and the location by street address, mailing address, or legal description of the property; however, statements filed by the assistant city manager, the city clerk, all assistant directors of city departments and police command staff at the rank of captain and above (excepting the Chief of Police) shall not contain the location by street address, mailing address or legal description of the property at which they reside, but rather shall state whether they rent or own their residence;

- (7) Employment with the City of Greenbelt. A statement filed under this section by elected officials, candidates to be elected officials, the city manager, and all directors of City departments, including the Chief of Police, shall include a schedule of the immediate family members of the individual employed by the City of Greenbelt in any capacity at any time during the reporting period.

Passed by the Council of the City of Greenbelt, Maryland, at its regular meeting of March 13, 2017.


Emmett V. Jordan, Mayor

ATTEST:


Cindy Murray, City Clerk

Key:

Underscoring indicates language added to existing law.

~~Overstriking~~ indicates language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.

MARYLAND ANNOTATED CODE

Md. Code, Elec. Law § 10-311

Section 10-311 - Challengers and watchers

(a)

(1) The following persons or entities have the right to designate a registered voter as a challenger or a watcher at each place of registration and election:

(i) the State Board for any polling place in the State;

(ii) a local board for any polling place located in the county of the local board;

(iii) a candidate;

(iv) a political party; and

(v) any other group of voters supporting or opposing a candidate, principle, or proposition on the ballot.

(2) A person who appoints a challenger or watcher may remove the challenger or watcher at any time.

(b) Except as provided in § 10-303(d)(2) of this subtitle and subsection (d) of this section, a challenger or watcher has the right to:

(1) enter the polling place one-half hour before the polls open;

(2) enter or be present at the polling place at any time when the polls are open;

(3) remain in the polling place until the completion of all tasks associated with the close of the polls under § 10-314 of this subtitle and the election judges leave the polling place;

(4) maintain a list of registered voters who have voted, or individuals who have cast provisional ballots, and take the list outside of the polling place; and

(5) enter and leave a polling place for the purpose of taking outside of the polling place information that identifies registered voters who have cast ballots or individuals who have cast provisional ballots.

(c)

(1)

(i) A certificate signed by any party or candidate shall be sufficient evidence of the right of a challenger or watcher to be present in the voting room.

(ii) The State Board shall prescribe a form that shall be supplied to the challenger or watcher by the person or entity designating the challenger or watcher.

(2) A challenger or watcher shall be positioned near the election judges and inside the voting room so that the challenger or watcher may see and hear each person as the person offers to vote.

(d)

(1) A challenger or watcher may not attempt to:

(i) ascertain how a voter voted or intends to vote;

(ii) converse in the polling place with any voter;

(iii) assist any voter in voting; or

(iv) physically handle an original election document.

(2) An election judge may eject a challenger or watcher who violates the prohibitions under paragraph (1) of this subsection.

(e)

(1) Except as provided in paragraphs (2) and (3) of this subsection, an election judge shall permit an individual other than an accredited challenger or watcher who desires to challenge the right to vote of any other individual to enter the polling place for that purpose.

(2) A majority of the election judges may limit the number of nonaccredited challengers and watchers allowed in the polling place at any one time for the purpose of challenging the right of an individual to vote.

(3) A nonaccredited challenger or watcher shall leave the polling place as soon as a majority of the election judges decides the right to vote of the individual challenged by the challenger or watcher.

(4) In addition to restrictions provided under this subsection, all restrictions on the actions of an accredited challenger or watcher provided under this subtitle apply to a nonaccredited challenger or watcher.

Md. Code, EL § 10-311

Md. Code, Local Gov't § 4-108.2

Section 4-108.2 - Submission of campaign finance reports to State Board of Elections

If a municipality requires candidates in a municipal election to file campaign finance reports, within 10 days after the filing deadline, each candidate in the municipal election shall submit to the State Board of Elections a copy of the campaign finance report that was filed by the candidate.

Md. Code, LG § 4-108.2

Added by 2014 Md. Laws, Ch. 103, Sec. 1, eff. 6/1/2014.

This section was renumbered from § 4-108.1 (as originally provided by 2014 Md. Laws, Ch. 103, Sec. 1) to § 4-108.2 by the editor pending state revision.